

CA4 ON HBL A08
B91

MUNICIPAL DOCUMENT

BY-LAWS OF THE CITY
OF HAMILTON

03-144 - 03-233

CA4 ON HBL A08

B 91

Authority: Item 12 Committee of the
Whole Report 01-033
(PD01184)
CM: October 16, 2001

Bill No. 144

City of Hamilton

BY-LAW No. 03-144

Respecting:

Removal of Part Lot Control
Lots 2 to 13, 15 to 20, and 23 to 30 (All Inclusive)
Registered Plan No. 62M-978

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

2/27/1944 10:30 AM
10:30

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

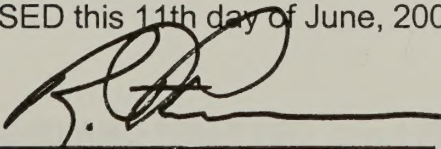
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights of encroachment as shown as Parts 1 to 28, inclusive, Reference Plan 62R-16422, shall not apply to the portions of the registered plan of subdivision that are designated as follows:

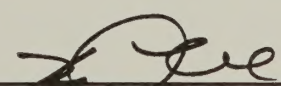
Lots 2 to 13, 15 to 20, and 23 to 30 (All Inclusive), Registered Plan No. 62M-978, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: May 26, 2005.

PASSED this 11th day of June, 2003.



MAYOR



CITY CLERK

The first part of the report is a summary of the work done during the last year. This includes a list of the projects completed, a list of the problems encountered, and a list of the solutions found. The second part of the report is a detailed description of the work done during the last year. This includes a description of the projects completed, a description of the problems encountered, and a description of the solutions found.

The third part of the report is a list of the projects completed during the last year. This list includes the name of the project, a brief description of the project, and the date when the project was completed. The fourth part of the report is a list of the problems encountered during the last year. This list includes the name of the problem, a brief description of the problem, and the date when the problem was encountered.

The fifth part of the report is a list of the solutions found during the last year. This list includes the name of the solution, a brief description of the solution, and the date when the solution was found. The sixth part of the report is a list of the projects completed during the last year. This list includes the name of the project, a brief description of the project, and the date when the project was completed.

The seventh part of the report is a list of the problems encountered during the last year. This list includes the name of the problem, a brief description of the problem, and the date when the problem was encountered. The eighth part of the report is a list of the solutions found during the last year. This list includes the name of the solution, a brief description of the solution, and the date when the solution was found.

The ninth part of the report is a list of the projects completed during the last year. This list includes the name of the project, a brief description of the project, and the date when the project was completed. The tenth part of the report is a list of the problems encountered during the last year. This list includes the name of the problem, a brief description of the problem, and the date when the problem was encountered.

The eleventh part of the report is a list of the solutions found during the last year. This list includes the name of the solution, a brief description of the solution, and the date when the solution was found. The twelfth part of the report is a list of the projects completed during the last year. This list includes the name of the project, a brief description of the project, and the date when the project was completed.

The thirteenth part of the report is a list of the problems encountered during the last year. This list includes the name of the problem, a brief description of the problem, and the date when the problem was encountered. The fourteenth part of the report is a list of the solutions found during the last year. This list includes the name of the solution, a brief description of the solution, and the date when the solution was found.

The fifteenth part of the report is a list of the projects completed during the last year. This list includes the name of the project, a brief description of the project, and the date when the project was completed. The sixteenth part of the report is a list of the problems encountered during the last year. This list includes the name of the problem, a brief description of the problem, and the date when the problem was encountered.

The seventeenth part of the report is a list of the solutions found during the last year. This list includes the name of the solution, a brief description of the solution, and the date when the solution was found. The eighteenth part of the report is a list of the projects completed during the last year. This list includes the name of the project, a brief description of the project, and the date when the project was completed.

The nineteenth part of the report is a list of the problems encountered during the last year. This list includes the name of the problem, a brief description of the problem, and the date when the problem was encountered. The twentieth part of the report is a list of the solutions found during the last year. This list includes the name of the solution, a brief description of the solution, and the date when the solution was found.

CA4 ON HBL A08

B 91

Authority: Item 3, Hearings Sub-Committee
Report: 03-016 (PD03100)
CM: June 11, 2003

Bill No. 145

CITY OF HAMILTON

BY-LAW NO. 03-145

To Adopt:

Official Plan Amendment No. 184 to the Former City of Hamilton Official Plan;

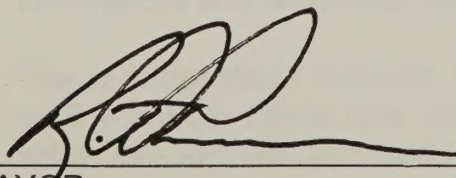
Respecting:

**Lands bounded by Hunter Street, Catharine Street, Jackson Street, and
Walnut Street**

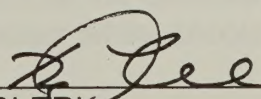
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 184 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.
3. By-law 03-116 is hereby repealed.

PASSED AND ENACTED this 11th day of June, 2003



MAYOR



CLERK

UNITED STATES OF AMERICA
DEPARTMENT OF THE ARMY
HEADQUARTERS, ARMY
WASHINGTON, D.C. 20315

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CITY OF NEW YORK

NEW YORK, NEW YORK

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OFFICE OF THE ATTORNEY GENERAL
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Amendment No. 184

to the

Official Plan of the Former City of Hamilton

The following mapping, Schedule "L-1" – Land Use and Development Permit Area, Schedule "L-3" – Building Height, and Schedule "L-8" – Overall Land Use Strategy of the Downtown Hamilton Secondary Plan, attached hereto, constitutes Official Plan Amendment No. 184.

Purpose:

The purpose of this Amendment is to revise the Downtown Hamilton Secondary Plan by redesignating the subject lands, the area bounded by Hunter Street, Catharine Street, Jackson Street and Walnut Street, from "Low Density Residential" and "Medium Density Residential" to "Mixed Use", and to redesignate the south easterly portion of this area from "4 Stories" to "6 Stories".

Location:

The lands affected by this Amendment are bounded by Hunter Street to the south, Catharine Street to the west, Jackson Street to the north and Walnut Street to the east.

Basis:

The basis for permitting the proposed redesignations in the Downtown Hamilton Secondary Plan, is as follows:

- An amendment to a Mixed Use designation would permit a wider, more amenable range of land uses that suit the character of the area;
- The proposed land use redesignations would serve to address the opportunity to provide a buffer between more intensive commercial uses within the core and areas surrounding the core which are more residential in character;
- The Mixed Use designation does not preclude residential development; however it does prescribe design and policy provisions which promote a greater integration of commercial and residential land uses; and,
- The redesignations maintain the general intent of the Corktown Neighbourhood Plan as it will allow Mixed Use development to occur while encouraging residential uses within existing and proposed buildings.

Authority: Item 3, Hearings Sub-Committee
Report: 03-016 (PD03100)
CM: June 11, 2003

Bill No. 145

CITY OF HAMILTON

BY-LAW NO. 03-145

To Adopt:

Official Plan Amendment No. 184 to the Former City of Hamilton Official Plan;

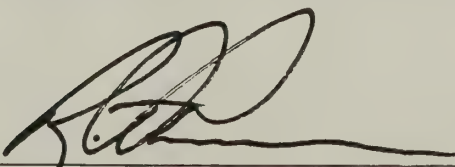
Respecting:

**Lands bounded by Hunter Street, Catharine Street, Jackson Street, and
Walnut Street**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 184 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.
3. By-law 03-116 is hereby repealed.

PASSED AND ENACTED this 11th day of June, 2003



MAYOR



CLERK

Amendment No. 184
to the
Official Plan of the Former City of Hamilton

The following mapping, Schedule "L-1" – Land Use and Development Permit Area, Schedule "L-3" - Building Height, and Schedule "L-8" – Overall Land Use Strategy of the Downtown Hamilton Secondary Plan, attached hereto, constitutes Official Plan Amendment No. 184.

Purpose:

The purpose of this Amendment is to revise the Downtown Hamilton Secondary Plan by redesignating the subject lands, the area bounded by Hunter Street, Catharine Street, Jackson Street and Walnut Street, from "Low Density Residential" and "Medium Density Residential" to "Mixed Use", and to redesignate the south easterly portion of this area from "4 Stories" to "6 Stories".

Location:

The lands affected by this Amendment are bounded by Hunter Street to the south, Catharine Street to the west, Jackson Street to the north and Walnut Street to the east.

Basis:

The basis for permitting the proposed redesignations in the Downtown Hamilton Secondary Plan, is as follows:

- An amendment to a Mixed Use designation would permit a wider, more amenable range of land uses that suit the character of the area;
- The proposed land use redesignations would serve to address the opportunity to provide a buffer between more intensive commercial uses within the core and areas surrounding the core which are more residential in character;
- The Mixed Use designation does not preclude residential development; however it does prescribe design and policy provisions which promote a greater integration of commercial and residential land uses; and,
- The redesignations maintain the general intent of the Corktown Neighbourhood Plan as it will allow Mixed Use development to occur while encouraging residential uses within existing and proposed buildings.

Actual Changes:

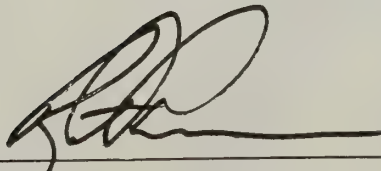
- 1) That Schedule "L-1" – Land Use and Development Permit Area, of the Downtown Hamilton Secondary Plan, be revised by redesignating the subject lands, the area bounded by Hunter Street, Catharine Street, Jackson Street and Walnut Street, from "Low Density Residential" and "Medium Density Residential" to "Mixed Use", as shown on the attached Schedule "L-1", of this Amendment.
- 2) That Schedule "L-3" – Building Height, of the Downtown Hamilton Secondary Plan, be revised by redesignating the south-easterly portion of the subject lands, the area bounded by Hunter Street, Catharine Street, Jackson Street, and Walnut Street, from "4 stories" to "6 stories", as shown on the attached Schedule "L-3", of this Amendment.
- 3) That Schedule "L-8" – Overall Land Use Strategy, of the Downtown Hamilton Secondary Plan, be revised by redesignating the subject lands, the area bounded by Hunter Street, Catharine Street, Jackson Street and Walnut, from "Low Density Residential" and "Medium Density Residential" to "Mixed Use", as shown on the attached Schedule "L-8", of this Amendment.

Implementation:

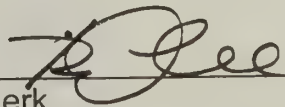
A Zoning By-law amendment and Site Plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-145, passed on the 11th day of June, 2003.

The City of Hamilton



Mayor

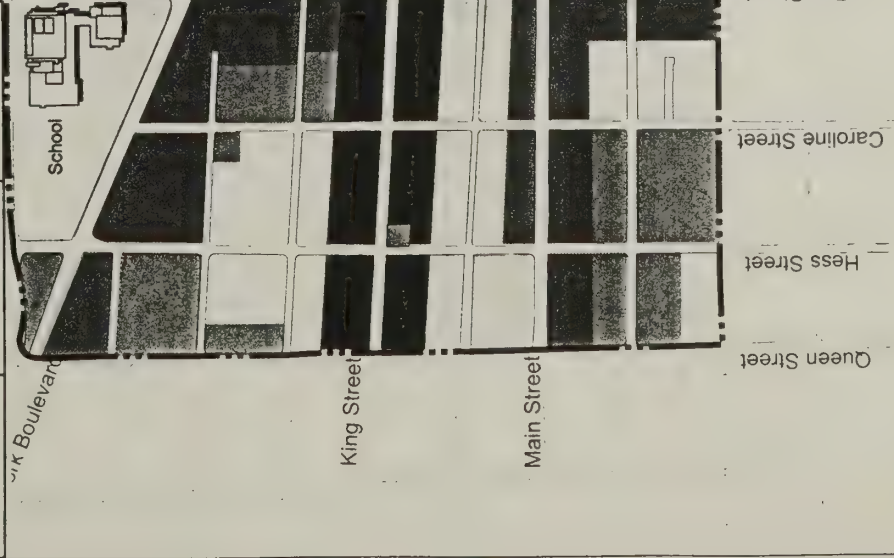


Clerk

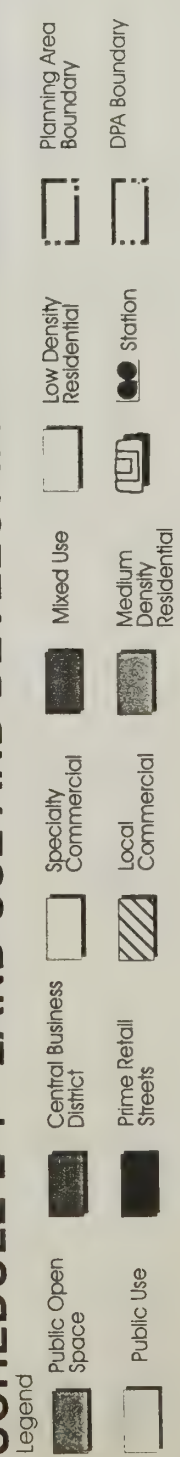
Schedule "L-1" - Land Use and Development Permit Area
Amendment No. 184
To the Downtown Hamilton Secondary Plan

Redesignate the Subject Lands from "Low Density Residential" and Medium Density Residential" to "Mixed Use".

Date: May 2003
 Revised by: Christine Newbold
 Reference file No. OPA 184



SCHEDULE L-1 - LAND USE AND DEVELOPMENT PERMIT AREA



Putting People First
The New Land Use Plan
for Downtown Hamilton
 May, 2003

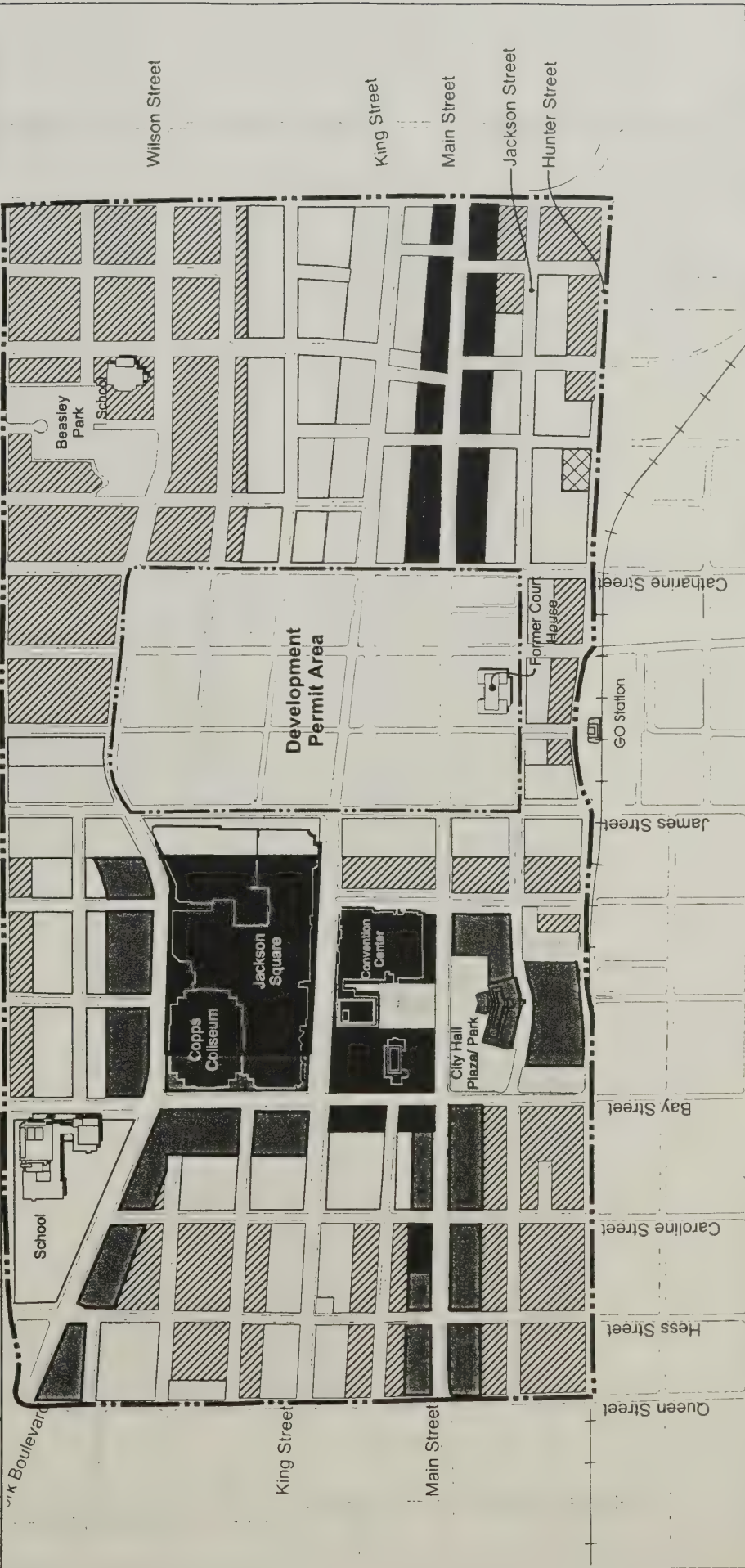
Schedule "L-3" - Overall Land Use Strategy
 Amendment No. 184
 To the Downtown Hamilton Secondary Plan

 Redesignate the Subject Lands from "4 Stories" to "6 Stories".

Date:
May 2003

Revised by:
Christine Newbold

Reference file No.
OPA 184



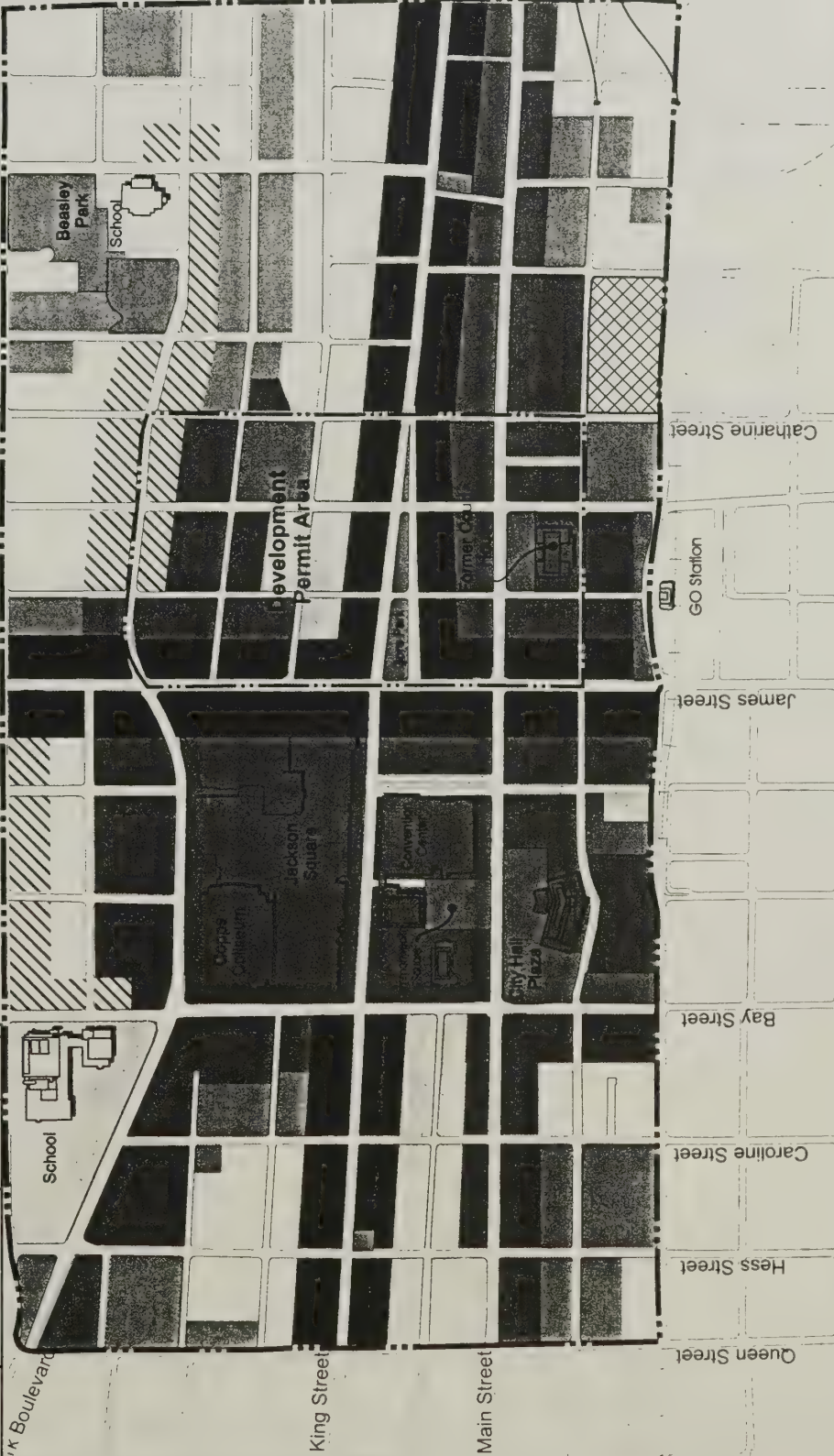
SCHEDULE L-3
BUILDING HEIGHT
 Legend

	15 Stories		8 Stories		3-6 Stories		Parks/ Open Space		Planning Area Boundary
	12 Stories		6 Stories		4 Stories		Station		DPA Boundary

Putting People First
 The New Land Use Plan
 for Downtown Hamilton
 May, 2003

OPA No. 172, as per Board Order dated July 19, 2002

Schedule "L-8" - Overall Land Use Strategy Amendment No. 184 To the Downtown Hamilton Secondary Plan	
	Redesignate the Subject Lands from "Low Density Residential" and Medium Density Residential" to "Mixed Use".
Date: May 2003	Revised by: Christine Newbold
	Reference file No. OPA 184



SCHEDULE L-8

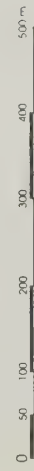
OVERALL LAND USE STRATEGY

Legend

- | | | | | | | | | | | | |
|--|-------------------|--|---------------------------|--|----------------------|--|----------------------------|--|-------------------------|--|------------------------|
| | Public Open Space | | Central Business District | | Specialty Commercial | | Mixed Use | | Low Density Residential | | Planning Area Boundary |
| | Public Use | | Prime Retail Streets | | Local Commercial | | Medium Density Residential | | Station | | DPA Boundary |

Putting People First The New Land Use Plan for Downtown Hamilton

May, 2003



OPA No. 172, as per Board Order
dated July 19, 2002

Authority: Item 3, Hearings Sub-Committee
Report 03-014 (PD03090)
CM: April 23, 2003

Bill No. 146

CITY OF HAMILTON

BY-LAW NO. 03-146

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 2365 Highway No. 56

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exemptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "H", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the Restricted Agricultural "A2" Zone to a site-specific Restricted Agricultural "A2-176" Zone, existing site-specific General Commercial "C3-176" Zone, Deferred Development "DD" Zone and the Open Space "OS1-166" Zone, the land shown as Blocks 1, 2, 3, and 4, the extent and boundaries of

- (a) That Block 1 be rezoned from the Restricted Agricultural "A2" Zone to a site-specific Restricted Agricultural "A2-176" Zone;
- (b) That Block 2 be rezoned from the Restricted Agricultural "A2" Zone to the site-specific Holding General Commercial "H-C3-176" Zone;
- (c) That Block 3 be rezoned from the Restricted Agricultural "A2" Zone to the Deferred Development "DD" Zone;
- (d) That Block 4 be rezoned from the Restricted Agricultural "A2" Zone to the Open Space "OS1-166" Zone;
- (e) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to those lands zoned General Commercial "C3-176" Zone (Block 2) by introducing the Holding symbol 'H' as a suffix to the proposed zone. The Holding provision will prohibit the expansion of the existing farm equipment dealership on those lands zoned General Commercial "C3-176" Zone, (Block 2), until such time, as the following has been completed:
 - (i) That the applicant submit and receive approval of a landscaping plan, including securities, to the satisfaction of the Manager, Development Planning;

City Council may remove the 'H' symbol and, thereby, give effect to the "C3-176" Zone, by enactment of an amending By-law once the condition is fulfilled;

- 2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding Special Exemption "A2-176" and "H-C3-176" to include the following:

A2-176

"Notwithstanding the minimum lot frontage and minimum lot area regulations of Section 8: General Agricultural "A1" Zone, Subsection 8.2 Regulations for Uses Permitted in Paragraph (a) of Subsection 8.1 (Agricultural Uses) Clauses (a) and (b), the following regulations shall apply for those lands zoned "A2-176" by this By-law:

- (i) Minimum Lot Frontage..... 24 metres
- (ii) Minimum Lot Area2.9 hectares

H-C3-176

"Notwithstanding the minimum landscaping requirements of Section 25: General Commercial "C3" Zone, Subsection 25.2 Regulations for Uses Permitted in Paragraph (a) of Subsection 25.1, Clause (I), the following

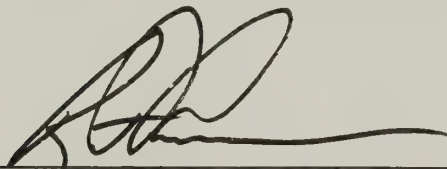
regulations shall apply to the westerly and northerly lot lines, and the rear lot line of the lands zoned in the Holding General Commercial "H-C3-176" Zone:

- (i) the minimum westerly side yard setback from the rear lot line of 2441 Regional Road 56 shall be 15 metres (50 feet);
- (ii) the minimum westerly side yard setback from the rear lot line of 2431 Regional Road 56 shall be 15 metres (50 feet); and,
- (iii) A landscaped area in the form of a planting strip having a minimum width of 4.5 metres (15 feet) and a solid visual barrier having a minimum height of 1.8 metres shall be provided and, thereafter, maintained along the westerly side lot line.

The removal of the holding symbol "H" by By-law for the lands zoned Holding General Commercial "H-C3-176", shall require the submission and approval of a landscaping plan, including securities, to the satisfaction of the Manager, Development Planning.

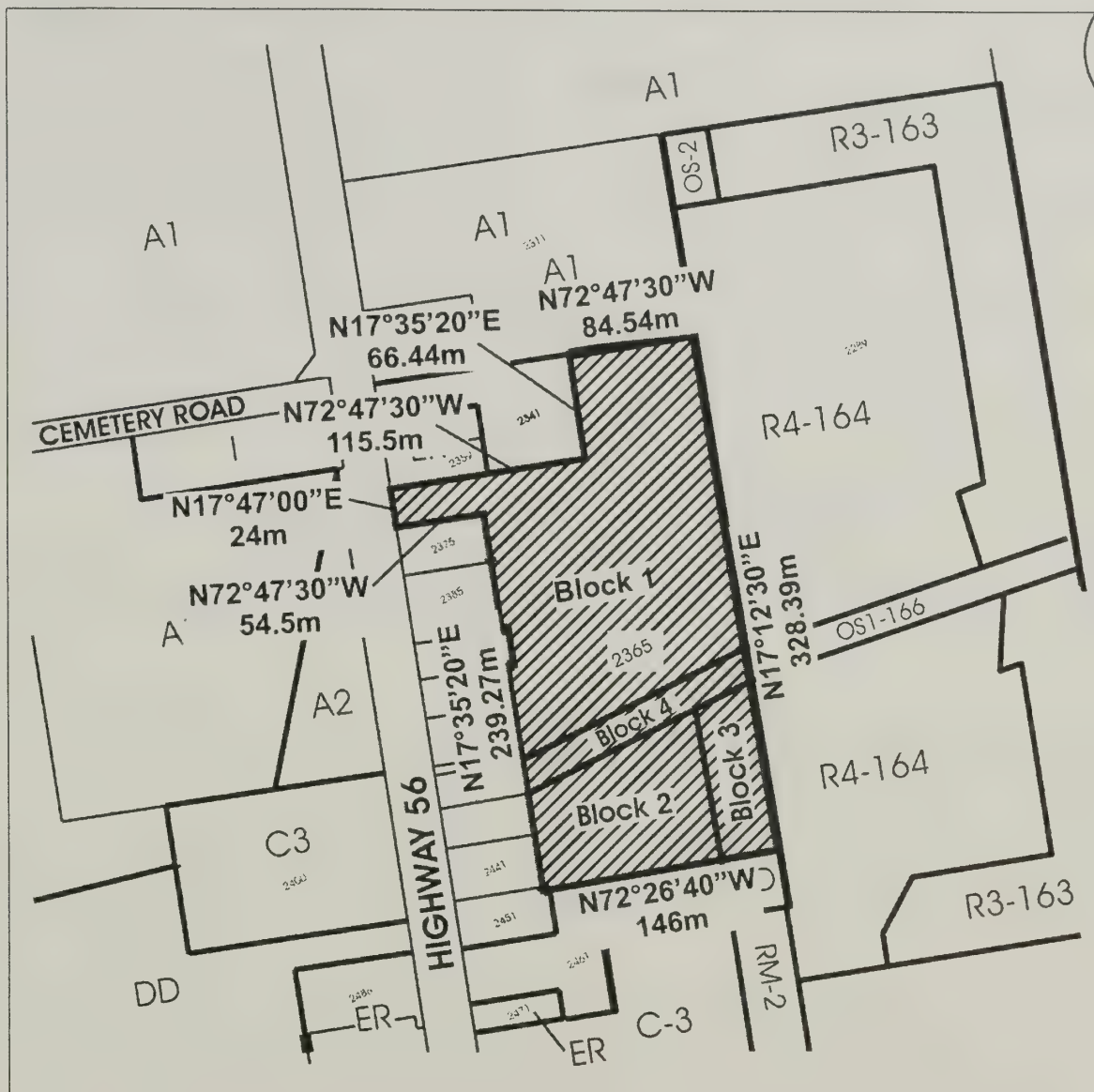
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 11th day of June, 2003.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—146

[Signature]
Clerk

[Signature]
Mayor

Passed the 11th day of June, 2003

Schedule "A"

Map Forming Part of
By-Law No. 03-146
to Amend By-Law No. 464



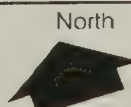
Hamilton

Planning and Development Department



Subject Property
2365 Highway No. 56

- Block 1 - Change in Zoning from "A2" Zone to "A2-176" Zone
- Block 2 - Change in Zoning from "A2" Zone to "H-C3-176" Zone
- Block 3 - Change in Zoning from "A2" Zone to "DD" Zone
- Block 4 - Change in Zoning from "A2" Zone to "OS1-166" Zone



North

Scale
NOT TO SCALE

Date
May 21, 2003

Reference File No.
ZAC-03-02

Drawn By
LM

Authority: Item 1 Committee of the Whole
Report 03-016 (PD03132)
CM: June 11, 2003

Bill No. 147

CITY OF HAMILTON

BY-LAW NO. 03-147

**To Amend Zoning By-law No. 464 (Glanbrook)
as amended by By-law No. 464-71-00
Respecting Lands located at Part of Lot 3, Concession 1 on the East Side of
Garth Street.**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exemptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

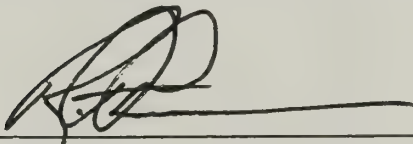
AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "H" (Holding) symbol affixed by By-law No. 464-71-00, passed on the 6th day of November 2000, to the Residential Multiple (Holding) "H-RM3-162" Zone of the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 464-71-00 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the Residential Multiple "RM3-162" Zone provisions of Zoning By-law No. 464.

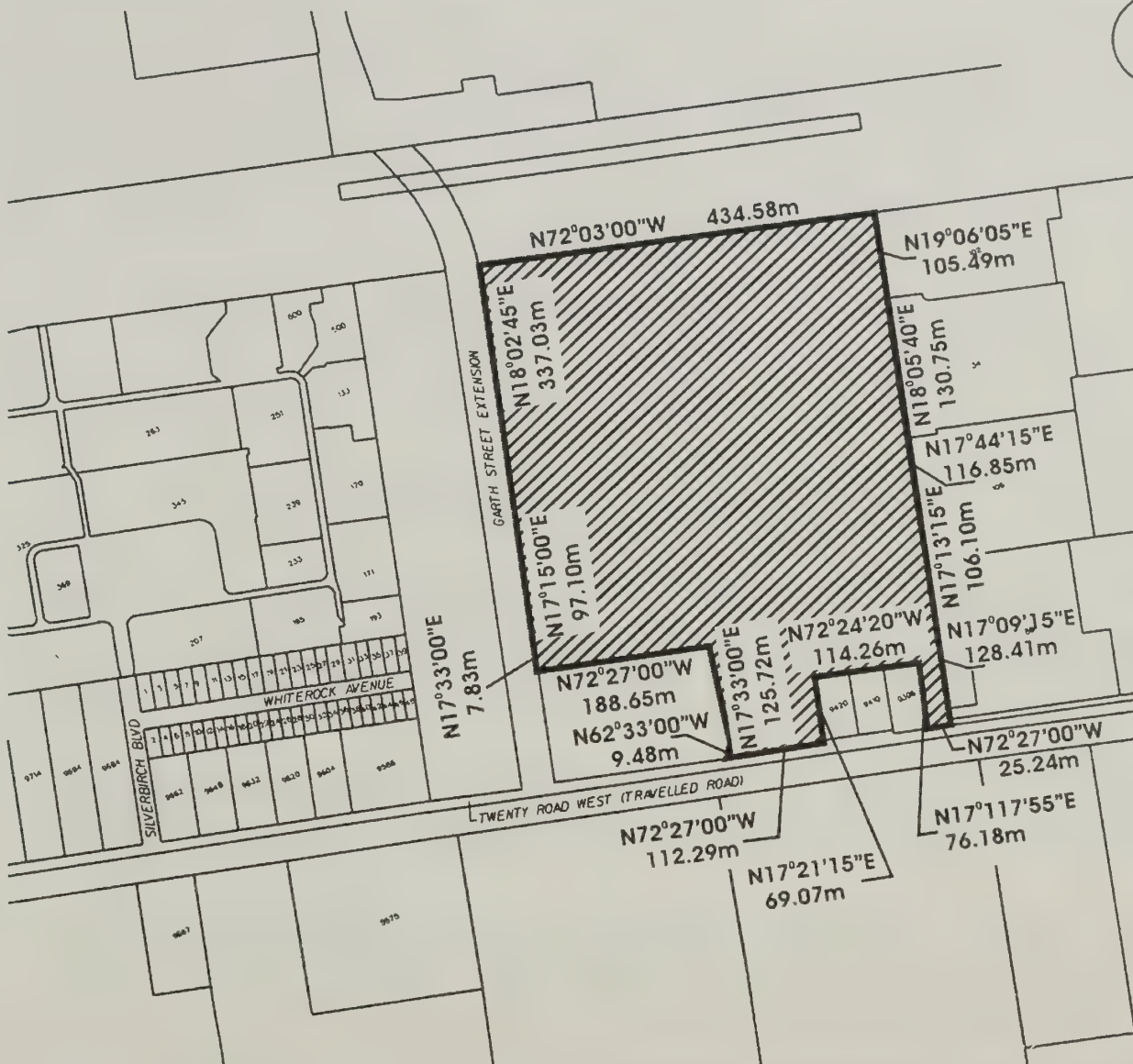
2. Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the "H-RM3-162" Zone to the "RM3-162" Zone, the land comprised in Part of Lot 3, Concession 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 11th day of June, 2003.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 03-147

Passed the 11th day of June, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-147
to Amend By-Law No. 464



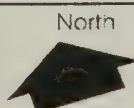
Hamilton

Planning and Development Department

Legend



From "H-RM3-162" to
"RM3-162"



North

Scale
NOT TO SCALE

Date
April 10, 2003

Reference File No.
ZAR-03-29

Drawn By
NM

Authority: Item 11 Committee of the Whole
Report 03-016 (PD03122)
CM: June 11, 2003

Bill No. 148

CITY OF HAMILTON

BY-LAW NO. 03-148

To Adopt a Municipal Housing Facility By-law

WHEREAS the City is the Service Manager under the *Ontario Works Act, 1997* and is authorized to operate and manage housing, as well as to establish, fund and administer programs for the provision of residential accommodation in its Service Area under the *Social Housing Reform Act*;

AND WHEREAS section 110 of the *Municipal Act, 2001*, as amended, allows the council of a municipality to enter into agreements for the provision of municipal capital facilities;

AND WHEREAS Ontario Regulation No. 46/94 as amended to No. 401/02 sets out the classes of municipal capital facilities for which municipal councils may enter into agreements, one such class being municipal housing project facilities;

AND WHEREAS that Regulation requires that a municipal council enact a municipal housing facility by-law prior to entering into an agreement;

AND WHEREAS Council wishes to increase the supply of affordable housing by providing financial assistance at less than fair market value to private sector and community-led non-profit housing providers;

NOW THEREFORE the Council of the City enacts as follows:

1. In this by-law:

- (a) "Act" means the *Municipal Act, 2001*;
- (b) "affordable housing" means with respect to municipal housing project facilities, housing units that satisfy the definition set out in section 4;

- (c) "Agreement" means a municipal housing project facilities agreement as set out in section 2;
- (d) "average CMHC rent" for municipal housing project facilities at any time means:
 - (i) for apartments, the average monthly market rent by bedroom type for privately-initiated apartment structures containing 6 or more units for the amalgamated City, as determined and amended by CMHC; or,
 - (ii) for townhouses, the average monthly market rent by bedroom type for privately-initiated townhouse structures for the amalgamated City, as determined and amended by CMHC.
- (d) "CMHC" means Canada Mortgage and Housing Corporation;
- (e) "City" means the municipal corporation known as the City of Hamilton or the geographic area of the City, as the context requires;
- (f) "Council" means the Council of the City;
- (g) "Director" means the City's Director of Housing of the Planning and Development Department or his or her designate;
- (h) "housing project" means a project or part of a project designed to provide or facilitate the provision of rental residential accommodation, with or without any public space, recreational facilities and commercial space or buildings appropriate thereto;
- (i) "housing provider" means a person legally entitled to own real property in Ontario;
- (j) "housing unit" includes a unit in a housing project rented by an occupant;
- (k) "municipal housing project facilities" means the class of municipal capital facilities prescribed by paragraph 18 of section 2 of Ontario Regulation No. 401/02, as amended;
- (l) "municipal housing project facilities by-laws" means a by-law enacted by Council pursuant to paragraph 18 of section 2 of Ontario Regulation 401/02, as amended;

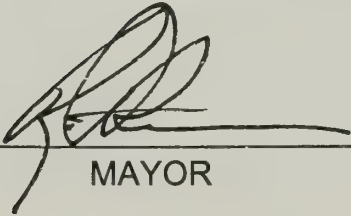
- (m) "structure type" means the type of residential dwellings to be constructed, i.e., apartments or townhouses; and,
 - (n) "unit size" means the size of a units within municipal housing project facilities or potential municipal housing project facilities, measured by the number of bedrooms.
- 2. Council may pass municipal housing project facilities by-laws in accordance with the Act permitting the City to enter into municipal housing project facilities agreements with housing providers for the provision of municipal housing project facilities;
- 3. Upon passing of a municipal housing project facilities by-law referred to in section 2 of this by-law, the City Clerk shall give written notice of the by-law to the Provincial Minister of Education and Training or successor, as set out in the Act;
- 4. The definition of "affordable housing" for the purpose of a municipal housing project facilities agreement shall be municipal housing project facilities in which the average monthly rent by structure type and each unit size, exclusive of utilities, parking, telephone, cable and other related fees, is less than or equal to the most current average CMHC rent for the amalgamated City for that respective unit size and structure type;
- 5. The City shall not enter into an Agreement noted in section 2 of this by-law unless it has been determined to the satisfaction of the Director of Housing that the housing units to be provided as part of the municipal housing project facilities fall within the definition of affordable housing;
- 6. Under no circumstances shall a housing unit be made available at any time during the period the municipal housing project facilities agreement is in force:
 - (a) at a monthly rent that is not within the definition of affordable housing as outlined in section 4 of this by-law, as the case may be; and,
 - (b) to individuals or families who, if at the time the housing unit was initially rented to them, would already own residential property, as determined by the housing provider after making all reasonable inquiries.
- 7. Every municipal housing project facility agreement shall contain the following provisions to the following effect or shall satisfy the following requirements, as the case may be:

- (a) the term of the Agreement shall not be less than 15 years;
- (b) the housing project shall provide no fewer than 3 housing units;
- (c) each unit within the housing project shall meet the definition of affordable housing throughout the term of the Agreement;
- (d) the housing provider and any successor in title shall comply with section 6 so long as the Agreement remains in effect;
- (e) subject to section 8, units subject to the Agreement shall not be rented to the housing provider or shareholders or directors of the housing provider, or any individual not at arm's length to the housing provider;
- (f) the Agreement shall be registered against the title to the property to which it relates;
- (g) the municipal housing project facilities agreement shall be binding on the heir's, successors and assigns of the housing provider;
- (h) during the time period in which the municipal housing project facilities agreement is in force, the housing provider shall, as a condition precedent to a sale of the housing project to a subsequent purchaser, require the subsequent purchaser to enter into an agreement with the City, and that agreement shall impose the remaining term of the municipal housing project facilities agreement on that subsequent purchaser;
- (i) a list of the benefits being conveyed to the housing provider under this by-law, including their estimated present day monetary value;
- (j) where a housing provider fails or refuses carry out its obligations under the Agreement or this by-law, the housing provider shall pay the City the full amount of any financial assistance received or otherwise provided under the Agreement together with interest thereon at the rate of 6 per cent per annum from the date of that default up to and including the date on which payment is received; and,
- (k) such other contractual provisions as the City Solicitor may consider necessary or advisable in his or her discretion in order to protect the interests of the City or the residents of the housing facility to which the agreement relates

8. Despite clause 7(e), units subject to a municipal housing project facilities agreement may be rented to directors of the housing provider or to an individual not at arm's length to directors of the housing provider if:
 - (a) the housing provider is a non-profit housing co-operative as defined in the *Co-operative Corporations Act*, as amended or a not-for-profit corporation; and,
 - (b) the housing provider is at arm's length to any individual or private for-profit corporation with which the director or individual not at arm's length to the director, as the case may be, has a non-arm's length relationship.
9. A municipal housing project facilities agreement may allow for the lease, operation or maintenance of the municipal housing project facilities by any person and for the sale or other disposition of municipal land or buildings that are still required for the purposes of the City;
10. An Agreement may, with respect to the provision, lease, operation, and maintenance of the municipal housing project facilities that is subject to the Agreement:
 - (a) provide for financial or other assistance at less than fair market value or at no cost to the housing provider, which assistance may include:
 - (i) giving or lending money and charging interest;
 - (ii) giving, lending, leasing or selling property;
 - (iii) providing mortgage and/or lending guarantees; and,
 - (iv) services of municipal employees in kind including project specific legal, planning and development and other administrative assistance, at a liquidated charge of \$2,000 per housing unit.
11. The aggregate amount of assistance provided by the City under section 10 in an Agreement plus any benefits derived from adjustments to the City's New Multi-Residential tax class ratio plus the fair value of assistance provided by the Province of Ontario shall not exceed the amount required to qualify for the maximum cash grant available at the relevant time under the Federal-Provincial Community Rental Housing Program.

12. This By-law may be cited as the Municipal Housing Facility By-law.

PASSED and ENACTED this 11th day of June, 2003.


MAYOR
CLERK

CITY OF HAMILTON

BY-LAW NO. 03-149

**To Repeal By-law No. 02-309 Respecting Removal of Part Lot Control
Block 19 – Plan 62M-693, “Abbey Hill Farm – Phase 2”**

WHEREAS Council of the City of Hamilton, on November 13, 2002, enacted By-law No. 02-309 being a by-law respecting Removal of Part Lot Control Block 19 – Plan 62M-693, “Abbey Hill Farm – Phase 2”;

AND WHEREAS Council of the City of Hamilton, on April 23, 2003, enacted By-law No. 03-092 being a by-law respecting Removal of Part Lot Control Block 19 – Plan 62M-693, “Abbey Hill Farm – Phase 2”;

AND WHEREAS said By-law was enacted twice by Council;

AND WHEREAS due to the duplication, Council of the City of Hamilton is of the opinion that By-law No. 02-309 shall be repealed.

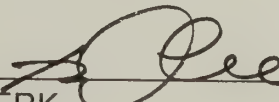
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 02-309, enacted on November 13, 2002, is hereby repealed.

PASSED and ENACTED this 11th day of June, 2003.



MAYOR



CLERK

Authority: Item 3, Committee of the Whole
Report 03-016 (PW03064)
CM: June 11, 2003

Bill No. 150

**CITY OF HAMILTON
BY-LAW NO. 03-150
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "D" thereof the following items, namely:

"Garth St.	Southbound	Twenty Road
Garth Trails Cr.	Eastbound	Garth St. (northerly intersection)
Garth Trails Cr.	Eastbound	Garth St." (southerly intersection)

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of June , 2003



MAYOR



CLERK

CITY OF HAMILTON

BY-LAW NO. 03-151

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Cline	North	Marion easterly to King	3hr 8 am – 6 pm Mon – Fri
Marion	East	Cline to Haddon	3hr 8 am – 6 pm Mon – Fri"

and by deleting from Section "E" thereof the following items, namely:

"Cline	North	commencing 295 feet west of King and extending 39 feet westerly therefrom	3hr 8 am – 6 pm Mon – Sun
Cline	North	commencing 361 feet west of King and extending 56 feet westerly therefrom	3hr 8 am – 6 pm Mon – Sun"

and by adding to Section "F" thereof the following items, namely:

"Edgewater Drive	East, South & West	Inner curb of Crescent, end to end	6 hr	Anytime	Anyday
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Harbour Drive	South	Fruitland Road to Edgewater Drive (east intersection)	6 hr	Anytime	Anyday"
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2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "C" thereof the following item, namely:

"Royal Edge Way	West & North	from 62.5m south of the extended south curb line of Brian Blvd. to 24.4m southerly and then 14m westerly	Anytime"
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and by adding to Section "E" thereof the following items, namely:

"Sherman	East	from 7.6m south of Case to 8.5m southerly	9:00 a.m. to 5:00 p.m. Monday to Saturday
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Upper Kenilworth	East	Mohawk to Southerly End	Anytime
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Upper Kenilworth	West	Mohwak to Carson	Anytime
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Upper Kenilworth	West	from 114.6m south of Carson to Southerly End	Anytime"
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and by adding to Section "E" thereof the following item, namely:

"Upper Kenilworth	Both	Mohawk to Southerly End	Anytime"
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and by adding to Section "G,(II)" thereof the following items, namely:

"Barton	North	from 32m west of Earl to 12.8m westerly	Anytime
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Barton	North	from 15.5m east of Gibson to 13.9m easterly	Anytime"
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and by deleting from Section "G,(II)" thereof the following items, namely:

"Barton	North	136 feet west of Earl to 26 ft. westerly	Anytime
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Barton	North	51 ft. east of Gibson to 64 ft. easterly	Anytime"
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3. Schedule 10 (Alternate Side Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Fairfield Avenue Roxborough Avenue to Britannia Avenue	East	West"
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4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Britannia	South	from 26.5m west of Park Row to 6.1m westerly	Anytime
Douglas	West	from 30.4m south of Mars to 5.5m southerly	Anytime
Douglas	East	from 29.1m north of Francis to 5.5m northerly	Anytime
Fairfield	East	from 50.9m south of Vansitmart to 7m southerly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Fairfield	East	commencing 216 feet south of Britannia and extending 24 feet southerly therefrom	Anytime
Fairfield	East	commencing 167 feet south of Britannia and extending 24 feet southerly therefrom	Anytime
Fairfield	East	commencing 375 feet south of Britannia and extending 17 feet southerly therefrom	Anytime
Fairfield	West	commencing at a point 311 feet south of Britannia to a point 19 feet southerly therefrom	Anytime
Fairfield	East	commencing at a point 315 feet south of Britannia to a point 17 feet southerly therefrom	Anytime"

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

"Herbert Court	East	Lakeview Drive to the southern end of Herbert Court	5:00 p.m. to 9:00 p.m." Monday to Thursday May to September
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and by deleting from Section "F" thereof the following item, namely:

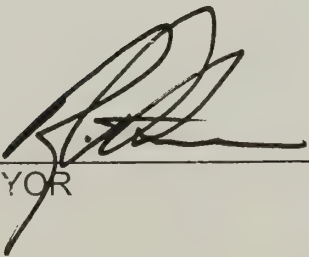
"Herbert Court	Both	Lakeview Drive to the southern end of Herbert Court	5:00 p.m. to 9:00 p.m." Monday to Thursday May to September
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6. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Beach Blvd East	from 59.1m south of Manor to 12.2m southerly	Anytime"
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7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of June, 2003.



MAYOR



CITY CLERK

Authority: Item 4, Hearings Sub-Committee
Report 03-018 (PD03119)
CM: May 28, 2003

Bill No. 152

CITY OF HAMILTON

BY-LAW NO. 03-152

To Amend:

Zoning By-law No. 87-57 (Ancaster),

Respecting:

LANDS LOCATED AT 406 WILSON STREET EAST

Owned by Tom and Kim Giancani
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map 2 to Schedule "B" (Village Core) of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands that are known municipally as 406 Wilson Street East from the Village Area "VA" Zone to the Village Area "VA-498" Exception Zone located within Part of Lot 45, Concession 2, (Former Town of Ancaster) more particularly shown on Schedule "A" which forms part of this By-law.
2. Section 34.2: Exceptions of Zoning By-law 87-57 (Ancaster), is hereby further amended by adding the following new subsection:

VA-498 Permitted Uses

The Village Area "VA" Zone uses as specified in Table 1, Section 22.1, in addition to the following permitted use:

Apartment Units above Commercial Uses (A maximum of four (4) apartment units shall be permitted only within the main building)

Regulations

That the provisions of Section 25.2, Village Area "VA" Zone (Commercial Uses) shall apply to development within the VA-498 Exception Zone with the exception of the following special provisions :

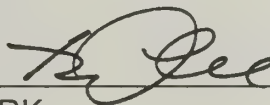
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|-------------|---|--|
| (1) Parking | - | Notwithstanding Section 7.14(b)(i)(E), apartment dwelling units within a commercial building shall require 1 parking space per unit; |
| (2) Buffer | - | A minimum 1.5 metre wide buffer strip shall be provided between the driveway and the southerly side property line; |
| (3) Fencing | - | A 2.4 metre high solid screen wooden fence shall be provided along the rear property line, continuing to the point until the elevations of the abutting properties become even, at which point a minimum 1.8 metre high solid screen wooden fence shall be provided for the remaining section of the rear property line. |

3. All other regulations of Section 7, General Provisions of Zoning By-law 87-57 (Ancaster) shall continue to apply.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

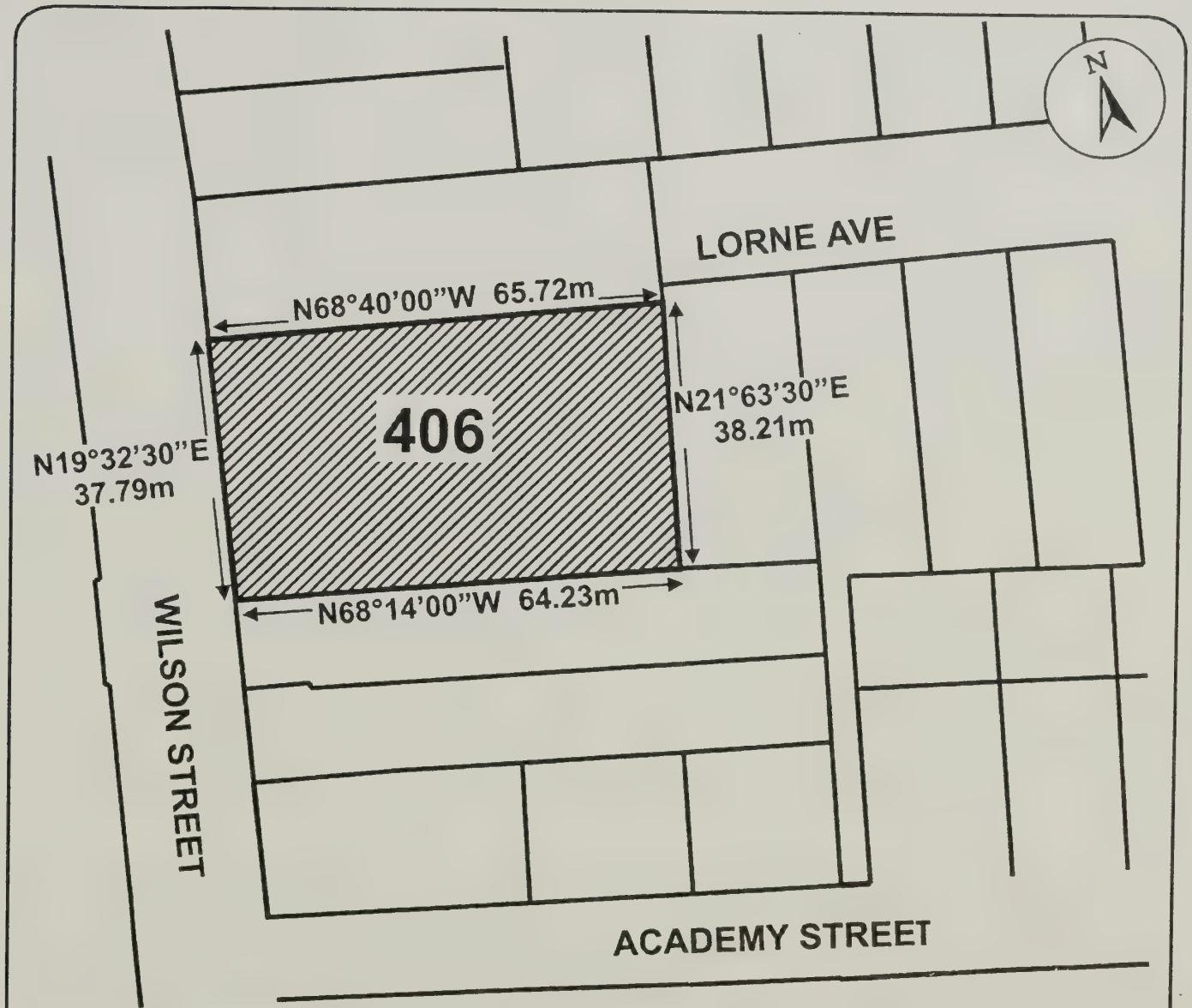
PASSED and ENACTED this 11th day of June, 2003 .



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03— 152

Passed the11th..... day of June....., 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-152
to Amend By-Law No. 87-57

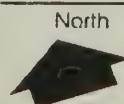


Hamilton

Planning and Development Department

Legend

 Change in Zoning from Village Area
"VA" Zone to Village Area "VA-498"
Exception Zone



North

Scale
NOT TO SCALE

Date
June 3, 2003

Reference File No.
ZAC-03-07

Drawn By
L.M.M

Authority: Item 5 Hearings Sub-Committee
Report 03-020 (PD 02001(b))
CM: Date June 11, 2003

Bill No.153

CITY OF HAMILTON

BY-LAW NO. 03-153

To Designate the Hamilton Community Improvement Project Area

WHEREAS the lands which are subject of this By-law were, as of January 1st, 2001, placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O.1999, Chapter 14, Schedule C) – and the authority of the such new municipality includes all the authority at law of a local municipality;

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former local municipalities, The Corporation of the City of Stoney Creek; The Corporation of the Township of Glanbrook; The Corporation of the City of Hamilton; The Corporation of the Town of Ancaster; The Corporation of the Town of Dundas; and, The Corporation of the Town of Flamborough;

AND WHEREAS the City of Hamilton, as the successor municipality is entitled to the benefit of all By-laws of each of the former municipalities and is entitled to amend such By-laws;

AND WHEREAS Part IV, of the Planning Act, (R.S.O. 1990 Chapter P.13) titled "Community Improvement" provides in part:

“section 28(2) Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law designate the whole or any part of an area covered by such an official plan as a community improvement project area”;

AND WHEREAS the Planning Act defines a “community improvement project area” as “an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other reason.” [section 28(1)]

AND WHEREAS attached hereto and forming part of this by-law as Schedule “A” is a map of a selected area of the municipality;

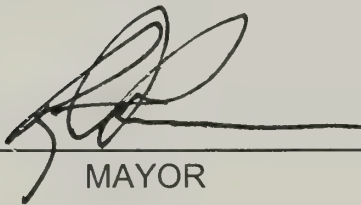
AND WHEREAS the Official Plan of the former Region of Hamilton-Wentworth was amended by By-law No. 03-041 to include provisions respecting the designation as a community improvement project area of portions of the City of Hamilton, including the lands illustrated in Schedule “A” to this By-law;

AND WHEREAS the Council of the City of Hamilton considers it appropriate to designate the said portion of the municipality illustrated in Schedule “A”, as a “community improvement project area”, in accordance with Part IV (Community Improvement) of the Planning Act, [section 28(2)] and, Council authorized this By-law to designate a community improvement project area as hereinafter provided in this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

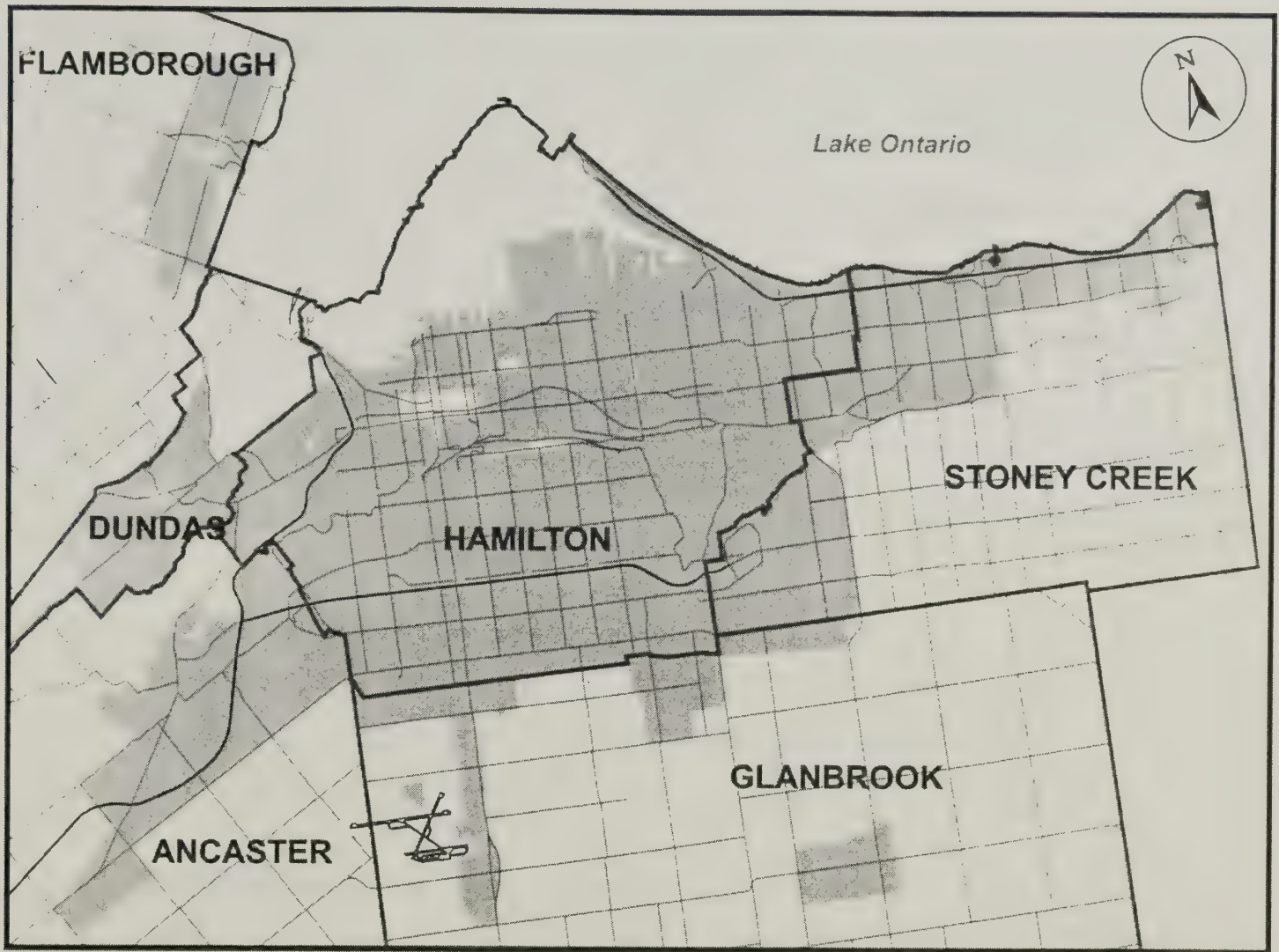
1. The geographical portion of the City of Hamilton illustrated on Schedule "A" and forming part of this By-law, is hereby designated as the "Hamilton Community Improvement Project Area".
2. This By-law shall come into force and effect on the date of enactment.

PASSED and ENACTED this 11th day of June, 2003.



MAYOR

CLERK



PLANNING AND DEVELOPMENT DEPARTMENT
***Hamilton Community Improvement
 Project Area***



Hamilton

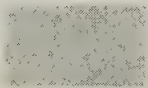
Filename/number
HCIPA_2003_revised

Date
May 1, 2003

Technician:
CL

Map Not to Scale

Schedule "A"



**Hamilton Community Improvement
 Project Area**

Authority: Item 5, Hearings Sub-Committee
Report 03-020 (PD 02001(b))
CM: Date June 11, 2003

Bill No. 154

CITY OF HAMILTON

BY-LAW NO. 03-154

To Adopt the

Hamilton Community Improvement Plan

WHEREAS By-law No. 03-153, passed on the 11th day of June, 2003, designated the area shown on Schedule "A" thereto as the Hamilton Community Improvement Project Area (hereinafter the said Area may be referred to as the "Hamilton CIP Area");

AND WHEREAS the Planning Act, (R.S.O. 1990 Chapter P.13, section 28) states that when a By-law has been passed to designate a community improvement project area, the council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

AND WHEREAS under the Planning Act (section 28) "community improvement" means the "planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, reconstruction and rehabilitation, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary";

AND WHEREAS the Council of the City of Hamilton deems it appropriate to adopt a community improvement plan for the Hamilton CIP Area in accordance with the said Act, for purposes of the community improvement of the designated Hamilton CIP Area, through municipal initiatives set out in a community improvement plan;

AND WHEREAS Council, by its Hearings Sub-Committee, held a public meeting on June 4th, 2003 to discuss and receive public input regarding adoption of a community improvement plan and has taken other required steps, prior to the enactment of this By-law to adopt a community improvement plan for the Hamilton Community Improvement Project Area, as required by the Planning Act;

AND WHEREAS the Planning Act Section 28) states:

(7) For the purpose of carrying out the community improvement plan, the municipality may make grants or loans to the registered owners or assessed owners of lands and buildings within the community improvement project area to pay the whole or any cost of rehabilitating such lands and buildings in conformity with the community improvement plan.

AND WHEREAS the Planning Act states that the approval of the Minister of Municipal Affairs is required,

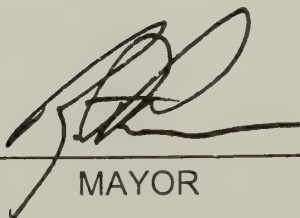
- (a) to a By-law adopting a Community Improvement Plan or an amendment thereto [section 28(4)]; and,
- (b) to the City's exercise of any power or authority under subsections (6) or (7) of section 28 of the Community Improvement Part IV of the Planning Act for the purpose of carrying out a community improvement plan, where the exercise of such power or authority would be bonuses prohibited under subsection 11 I(1) of the Municipal Act [subsection 28(8)].

AND WHEREAS the "Hamilton Convert-to-Rent Program" is attached hereto as Schedule "A" and forms part of this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "Hamilton Convert-to-Rent Program" attached hereto as Schedule "A" and forming part of this By-law is adopted as the "Hamilton Community Improvement Plan";
2. The City Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing,
 - (a) for approval, as required by subsection 28(4) of the Planning Act, to this By-law adopting the said Community Improvement Plan;
 - (b) for approval, as required by subsection 28(8) of the community improvement provisions of the Planning Act, to be granted to the City by the Minister, to permit the City to offer grants as provided for in the said Community Improvement Plan adopted by this By-law, which grants would otherwise be bonuses prohibited by subsection 11 I(1) of the Municipal Act.
3. This By-law shall come into force and effect on the date of the approval of the Minister of Municipal Affairs and Housing is valid and binding.

PASSED and ENACTED this 11th day of June, 2003.



MAYOR



CLERK

The Hamilton Community Improvement Plan

May, 2003

The Hamilton Community Improvement Plan for the Hamilton Community Improvement Project Area

Purpose:

This Community Improvement Plan is intended to apply to the Hamilton Community Improvement Project Area. The geographic area of the Hamilton Community Improvement Project Area shall be delineated as follows:

- the geographic area designated as "Urban Area" in the Hamilton-Wentworth Official Plan, as may be subsequently amended; however,
- excluding the geographic area encompassed by the following as designated by by-law and as may be subsequently amended:
 - the Downtown Hamilton Community Improvement Project Area;
 - the Main Street West Business Improvement Area;
 - the Westdale Business Improvement Area;
 - the Concession Street Business Improvement Area;
 - the Barton Village Business Improvement Area;
 - the Ottawa Street Business Improvement Area;
 - the Dundas Business Improvement Area;
 - the Waterdown Business Improvement Area; and,
 - the Stoney Creek Business Improvement Area.

The current delineation of this geographic area is shown in Schedule "A", and may be subsequently amended as noted above.

Introduction:

More rental housing is needed in the City of Hamilton. Additional rental housing through conversions contributes to neighbourhood revitalization through an increased population base, sustaining local commercial businesses, reusing vacant building space and making better use of the existing built infrastructure.

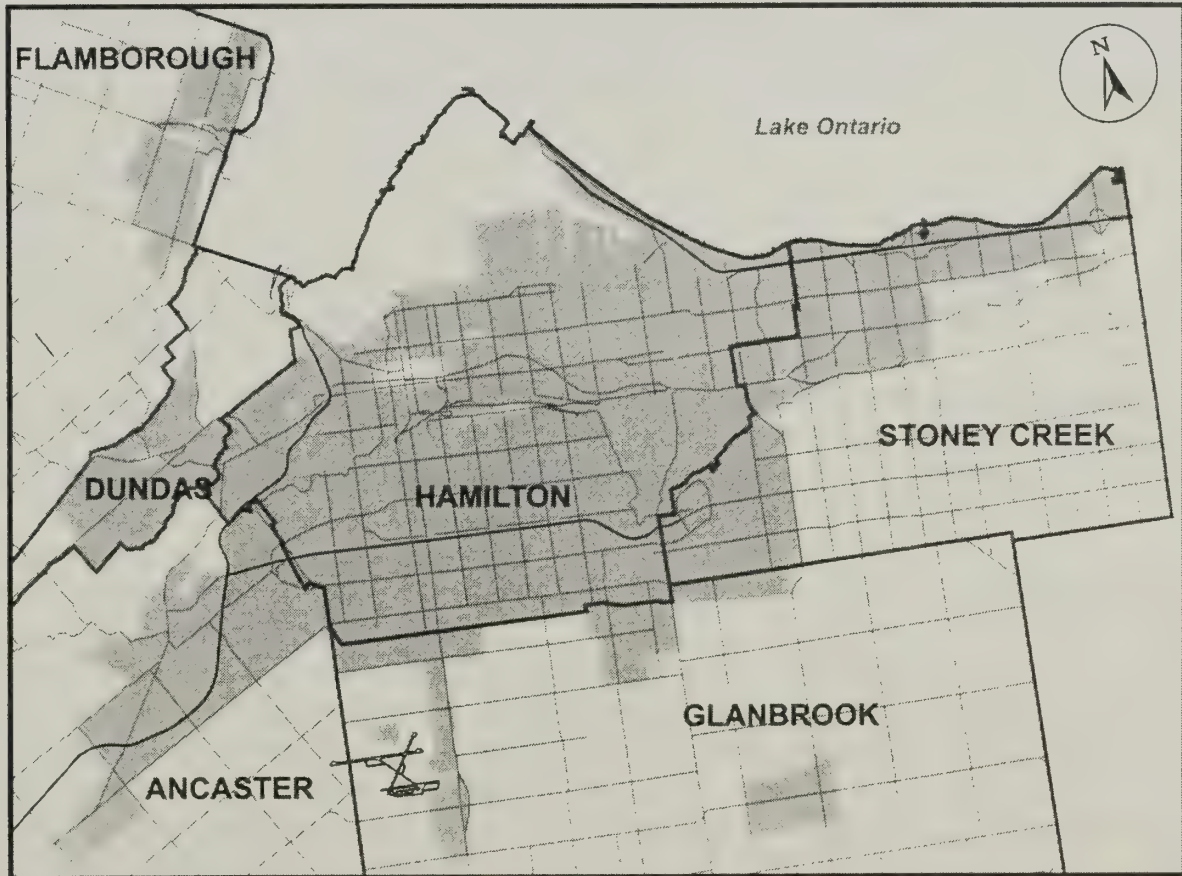
This can be accomplished in two ways:

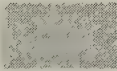
- 1) by encouraging the conversion of vacant/unused second and third floor space above street-front commercial establishments to self-contained rental residential units; and,
- 2) by encouraging the redevelopment/conversion of vacant and/or underutilized residential and non-residential structures to create new rental residential units.

To increase the supply of rental housing and to encourage property owners to create rental residential units, financial assistance in the form of a grant or loan is available from the municipality under this Hamilton Community Improvement

Area Plan through the "Hamilton Convert-to-Rent Program". The provisions of the Hamilton Convert-to-Rent Program are attached as Schedule "B".

This program demonstrates a commitment by the City of Hamilton to make better use of the existing urban infrastructure, facilitate the conversion of the vacant and/or underutilized existing building stock to a more a productive use, and promotes the development of new rental residential housing supply throughout the Urban Area of the City of Hamilton.



PLANNING AND DEVELOPMENT DEPARTMENT <i>Hamilton Community Improvement Project Area</i>		 Hamilton
 Hamilton Community Improvement Project Area		Filename/number HCIPA_2003_revised
		Date May 1, 2003
		Technician: CL
		Map Not to Scale
		Schedule "A"

Schedule "B" to the Hamilton Community Improvement Plan

The Hamilton Convert-to-Rent Program

Program Description:

The goal of the Hamilton-Convert-to-Rent Program is to increase the supply of rental housing by providing limited funding to property owners for the conversion of non-residential space into rental residential. The City contribution will be in the form of a grant or loan payable under appropriate terms and conditions as set by the City of Hamilton.

Program Terms:

- All proposed construction/renovation activity must comply with respective municipal official plans, zoning-by-law regulations and appropriate Building Code requirements.
- All applicants must be the property owner of the respective building/structure.
- Applications for grant or loan monies must be submitted and approved by City Council prior to the commencement of actual construction/renovation.
- A City Building Inspector will undertake a pre-inspection of the proposed construction/renovation activity.
- All outstanding property taxes must be paid in full prior to the release of any grant or loan monies.
- The grant or loan will be a minimum \$4,000 per new self-contained rental residential unit to a maximum of \$100,000 per deeded property (25 units).
- Grant or loan monies are available only to new rental residential units with a minimum size of 525 square feet/48.77 m².
- Applicants must provide "before" and "after" pictures as part of the application and processing of the grant or loan monies.
- From the time of Council approval of the grant or loan application, the applicant has 18 months to complete the project.
- In the event of a loan, it will be interest-free with an appropriate term, payment and re-payment conditions as established by the City of Hamilton.

Eligible Buildings/Structures:

- Vacant/unused and uninhabitable space on floors above street-front commercial establishments – conversion of ground floor commercial space is not eligible.
- Vacant and/or underutilized existing non-residential structures.

- Existing residential apartment buildings containing 6 or more units where non-residential space can be converted to new rental residential units.

An administrative fee of 3.0% of the grants or loans disbursed shall be levied against the reserve fund and obtained on a charge-back basis to recover administrative costs.

THE CITY OF HAMILTON

BY-LAW NO. 03-155

To Confirm the Proceedings of City Council at its meeting held on June 11, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

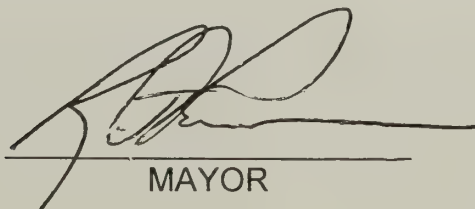
1. The Action of City Council at its meeting held on the 11th day of June, 2003 in respect of each recommendation contained in:

Report 03-016 of the Committee of the Whole,
Report 03-020 of the Hearings Sub-Committee,
Report 03-021 of the Hearings Sub-Committee,
Report 03-004 of the Grants Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 11th day of June, 2003



MAYOR



CITY CLERK

Authority: Item 12, COW
Report 01-003 (PD01184)
CM: October 16, 2001

Bill No. 156

City of Hamilton

BY-LAW No. 03-156

Respecting:

**REMOVAL OF PART LOT CONTROL
WITHIN A PORTION OF
"MEADOWLANDS PHASE 4(a)" — PLAN 62M-858**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

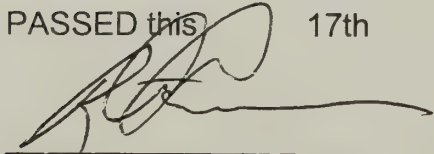
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Lots 43, 46 and 47 into 6 parcels, shall not apply to the following lands:

Lots 43, 46 and 47, Registered Plan Number 62M-858 (Parts 7, 8, 13, 14, 15 and 16 of Reference Plan 62R-15041), in the former Town of Ancaster.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which this By-law remains in force, shall expire on the following specified date: June 11, 2005

PASSED this 17th day of June 2003.


MAYOR


CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 03-157

To Confirm the Proceedings of City Council at its special meeting held on June 17, 2003

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 17th day of June, 2003 in respect of each recommendation contained in the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 17th day of June, 2003



MAYOR



CITY CLERK

CA4 ON HBL A08
B91

Authority: Item 1, Hearings Sub-Committee
Report 03-020 (PD03126)
CM: June 25, 2003

Bill No. 158

CITY OF HAMILTON

BY-LAW NO. 03-158

To Adopt:

Official Plan Amendment No. 39 to the Official Plan for the former Township of Glanbrook;

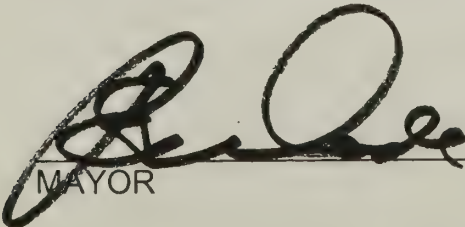
Respecting:

Lots 53-63, Registered Plan 62M-961, Southbrook Drive , Village of Binbrook

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 39 to the Official Plan of the former Township of Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 25th day of June, 2003


MAYOR


CLERK

Amendment No. 39
to the
Official Plan of the Former Township of Glanbrook

The following mapping, Schedule "B" Land Use Plan, Binbrook Village Secondary Plan, attached hereto, constitutes Official Plan Amendment No. 39.

Purpose:

The purpose of this Amendment is to revise the Binbrook Village Secondary Plan by redesignating the subject lands, Lots 53-63 on Southbrook Drive, from "High Density Residential" to "Medium Density Residential" to permit the development of street townhouses.

Location:

The lands affected by this Amendment are known as Lots 53-56 on Southbrook Drive in Registered Plan 62M-961.

Basis:

The basis for permitting the proposed land use redesignation in the Binbrook Village Secondary Plan, is as follows:

- Medium density residential in this location supports the policies of the Provincial Policy Statement.
- The proposed development of street townhouses is appropriate and desirable for the development of the land.
- The quaterplexes permitted under the existing "High Density Residential" designation are generally considered a form of medium density rather than high density development.
- The loss of density or range of housing types in this area is not significant.

Actual Changes:

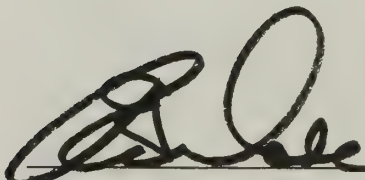
- 1) That Schedule "B" - Land Use Plan, Binbrook Village Secondary Plan be revised by redesignating the subject lands, the area shown as Lots 53-63 of Registered Plan 62M-961, from "High Density Residential" to "Medium Density Residential", as shown on the attached Schedule "B", of this Amendment.

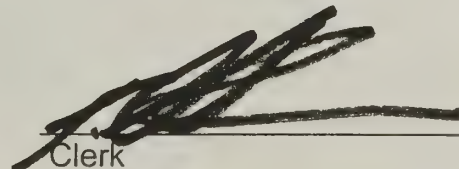
Implementation:

A Zoning By-law amendment and Site Plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-158, passed on the 25th day of June, 2003.

The City of Hamilton



Mayor

Clerk

**Town of Glanbrook
Official Plan Amendment No. 39**

Redesignate "High Density Residential" to
"Medium Density Residential"

CENTRE ROAD

Block 4

CONCESSION

CONCESSION

Block 4

FLETCHER ROAD

ONTARIO HIGHWAY 401

100'

100'

100'

100'

**BINBROOK VILLAGE
SECONDARY PLAN**

**SCHEDULE B
LAND USE PLAN**

LEGEND

- RESIDENTIAL USES
 - LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - SPECIAL RESIDENTIAL
 - RESIDENTIAL MIXTURES
- COMMERCIAL
 - COMMUNITY CORE
 - GENERAL COMMERCIAL
 - CORNER STORE
 - OPEN SPACE
- ACTIVE PARKLAND
- PASSIVE PARKLAND
- WOODLAND
- STORM WATER MANAGEMENT FACILITIES
 - STORM WATER MANAGEMENT FACILITY
 - DETENTION CHANNEL / POND / SWALE
- INDUSTRIAL
 - ARTERIAL
 - COLLECTOR
 - LOCAL
- SPECIAL FEATURES
 - SEWER
 - WATER TOWER
 - WATER TREATMENT
 - CHURCH
 - SCHOOL
 - LIBRARY
 - FIRE STATION
 - VILLAGE SQUARE
- EXISTING PROPERTIES
 - BINBROOK VILLAGE
 - NEIGHBOURHOOD BOUNDARIES
 - CAVEWAY ENTRANCES
- PRELIMINARY

DATE: 10/1/2008

SCALE: 1:1

PROJECT: 1000

DATE: 10/1/2008

SCALE: 1:1

PROJECT: 1000

C44 ON HBL A08
B91

Authority: Item 1, Hearings Sub-Committee
Report 03-020 (PD03126)
CM: June 25, 2003

Bill No. 159

CITY OF HAMILTON

BY-LAW NO. 03-159

**To Amend Zoning By-law No. 464 (Glanbrook))
Respecting Lands located at Lots 53 to 63, R.P. 62M-961, Southbrook Drive**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exemptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "H", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the site-specific Residential Multiple "RM4-157" Zone to the site-specific Residential Multiple "RM2-179" Zone, the land comprised of the "Subject Property", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by deleting special provision "RM4-157" in its entirety.
3. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding a new special provision, "RM2-179", to include the following:

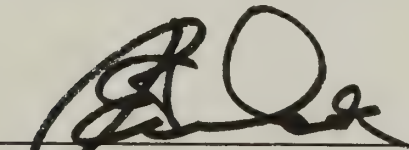
"RM2-179 Notwithstanding the minimum lot frontage regulations of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE,** Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING),** Clause (a), the following specific regulations shall apply to those lands zoned modified Residential "RM2-179":

(a) Minimum Lot Frontage.....6 metres
per dwelling unit, except:

- (i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 8 metres; and,
- (ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 12 metres."

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

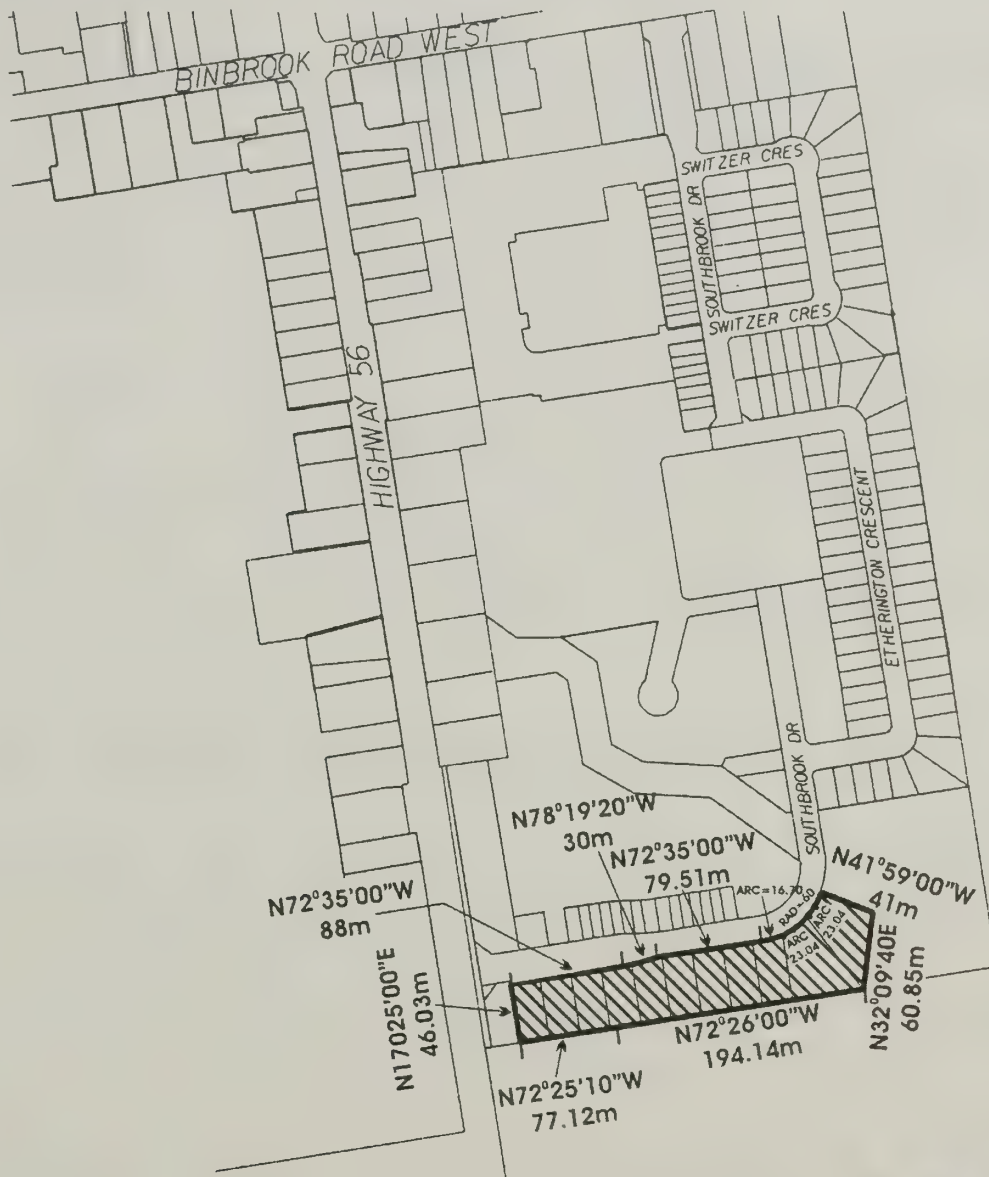
PASSED and ENACTED this 25th day of June, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03-159

Passed the 25 day of June, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-159
to Amend By-Law No. 464



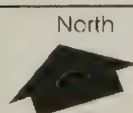
Hamilton

Planning and Development Department

Legend



Subject Property
From the site-specific Residential
Multiple "RM4-157" Zone to the site-
specific Residential Multiple "RM2-179"
Zone



North

Scale
NOT TO SCALE

Date
June 17, 2003.

Reference File No.
ZAC-03-21

Drawn By
NM

CA4 ON HBL A08
B91

Authority: Item 2, Hearings Sub-Committee
Report 03-022 (PD03152)
CM: June 25, 2003

Bill No. 160

CITY OF HAMILTON

BY-LAW NO. 03-160

**To Amend Zoning By-law No. 464 (Glanbrook), as amended by
By-laws 464-071-00, and 01-154.
Respecting Lands located at the northwest corner of Twenty Road West and
Garth Street (Part of Lot 3, Concession 1).**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exemptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

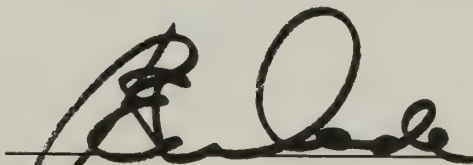
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "H" (Holding) symbol affixed by By-law No. 01-154, passed on the 10th day of July 2001, to the Neighbourhood Commercial (Holding) "H-C1-171" Zone, respecting the lands the extent and boundaries of which are shown on a plan, annexed as Schedule "A" to By-law No. 01-154 and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the Neighbourhood Commercial "C1-171" Zone provisions of Zoning By-law No. 464.

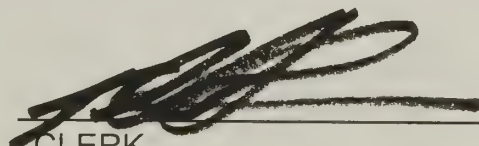
2. Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the Residential "R4-169" Zone to the site-specific Neighbourhood Commercial "C1-171" Zone, the land comprised of Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the "H-C1-171" Zone to the "C1-171" Zone, the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
4. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by deleting special provision of "H-C1-171", and replacing it with the following provision:

 "C1-171 Establishes zoning standards as per the Neighbourhood Commercial "C1" zoning category (Section 23 of By-law No. 464), with the following exceptions: the maximum total gross leasable floor area as contained in Section 23.2(f) of By-law No. 464 shall not apply; and a maximum lot area of 0.83 hectares (2.05 acres) shall be permitted for the lands zoned C1-171."
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of June, 2003.

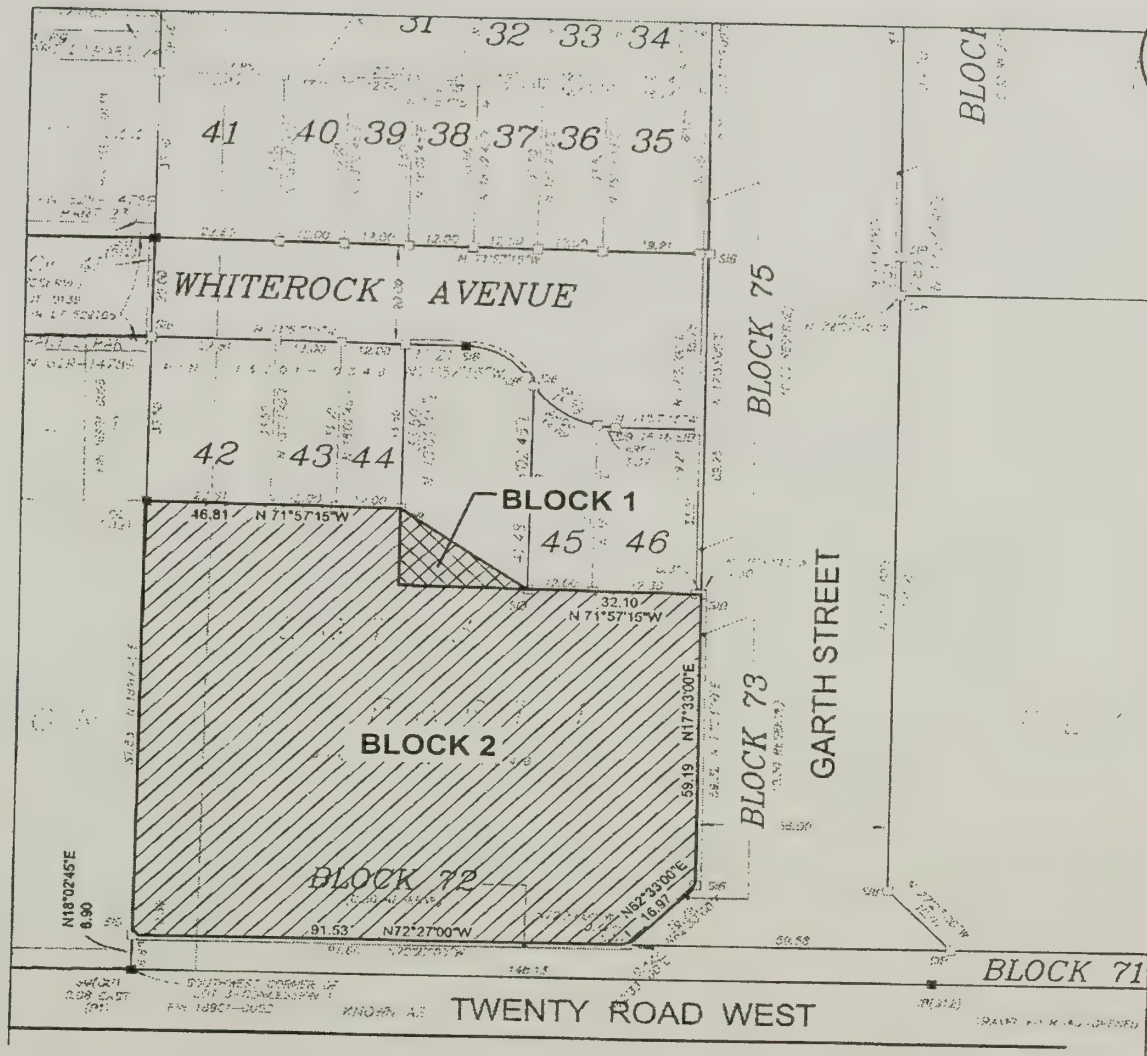


MAYOR



CLERK

Schedule "A" to By-law of Report PD03152



This is Schedule "A" to By-Law No. 03—160

Passed the 25 day of June, 2003

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 03-160
 to Amend By-Law No. 464



Hamilton

Planning and Development Department

Legend

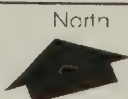
Subject Property
 Northwest corner of Twenty Road and
 Garth Street (Glanbrook) Part of Lot 3,
 Concession 1



BLOCK 1 - Change from the Residential "R4-169" Zone to the site-specific Neighborhood Commercial "C1-171" Zone



BLOCK 2 - Change from the site-specific Holding Neighborhood Commercial "H-C1-171" Zone to the site-specific Neighborhood Commercial "C1-171" Zone



North

Scale
 NOT TO SCALE

Date
 March 11, 2003

Reference File No.
 ZAR-03-18

Drawn By
 LM

CA4 ON HBL A08
B91

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM.: October 16, 2001

Bill No. 161

City of Hamilton

BY-LAW No. 03-161

Respecting:

THE EXTENSION OF BY-LAW NO. 02-185
FOR THE REMOVAL OF PART LOT CONTROL

FOR LANDS WITHIN
"FIFTY ROAD JOINT VENTURE – Phase 1" — PLAN 62M-950

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Corporation of the City of Hamilton passed By-law No. 02-185 to exempt lands within the "Fifty Road Joint Venture – Phase 1" Subdivision, Plan 62M-950 from Part Lot Control;

AND WHEREAS in accordance with Subsection 7.4 of Section 50 of the Planning Act, By-law No. 02-185 expires on June 30, 2003;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the City of Stoney Creek;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 3 of By-law No. 02-185 is hereby repealed and the following substituted therefore:

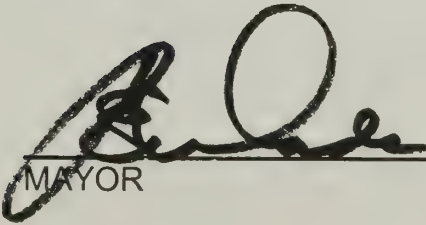
By-law to remove a portion of
"Fifty Road Joint Venture – Phase 1"
Plan 62M-950 from Part Lot Control

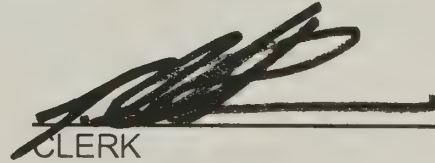
2

"3. Other than Parts 24, 25, 34, 35, 37, 40, 42 to 45, 48, and 53 to 60 of Reference Plan 62R-16069, Registered Plan Number 62M-950, in the City of Hamilton (Stoney Creek), this By-law shall no longer be of any force and effect. As it relates to Parts 24, 25, 34, 35, 37, 40, 42 to 45, 48, and 53 to 60 of Reference Plan 62R-16069, Registered Plan Number 62M-950, in the City of Hamilton (Stoney Creek), for the purpose of permitting the sale of nineteen (19) single detached dwellings, this By-law expires on July 1, 2005."

2. This by-law shall be registered on title to the said land described in Section 1, and shall come into force and effect on the date of such registration.

PASSED and ENACTED this 25th day of June, A.D. 2003.



MAYOR

CLERK

CA4 ON HBL A08
B91

Authority: Item 5, Hearings Sub-Committee
Report 03-022 (PD03153)
CM: June 25, 2003

Bill No. 162

CITY OF HAMILTON

BY-LAW NO. 03-162

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands located at 87 Kilbourn Avenue and 360 Highway No. 8**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to establish special requirements under Subsection 8.3.8 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 6 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Single Residential – Two "R2" Zone to the amended General Commercial "GC-26" Zone, the lands comprised of a portion of 87 Kilbourn Avenue, the extent of boundaries of which are shown as Block 2 on a plan hereto annexed as Schedule "A".

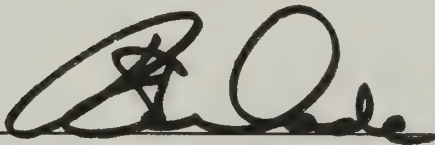
2. That Subsection 8.3.8, "Special Exemptions" of Section 8.3, General Commercial Zone, of Zoning By-law No. 3693-92, be amended by deleting special exemption, "GC-26", and replacing it with the following:

**"GC-26 360 Highway No. 8 and rear lands of 87 Kilbourn Avenue,
Schedule A, Map No.6**

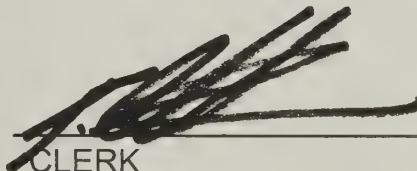
Notwithstanding the regulations of paragraph (g) 2. of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-26" by this By-law, a minimum landscaped strip of 1.5 metres width shall be provided and maintained along the easterly lot line."

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

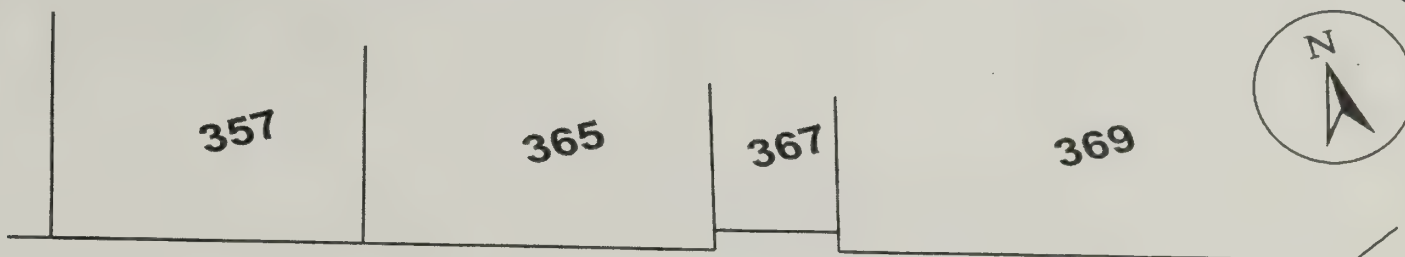
PASSED and ENACTED this 25th day of June, 2003.



MAYOR

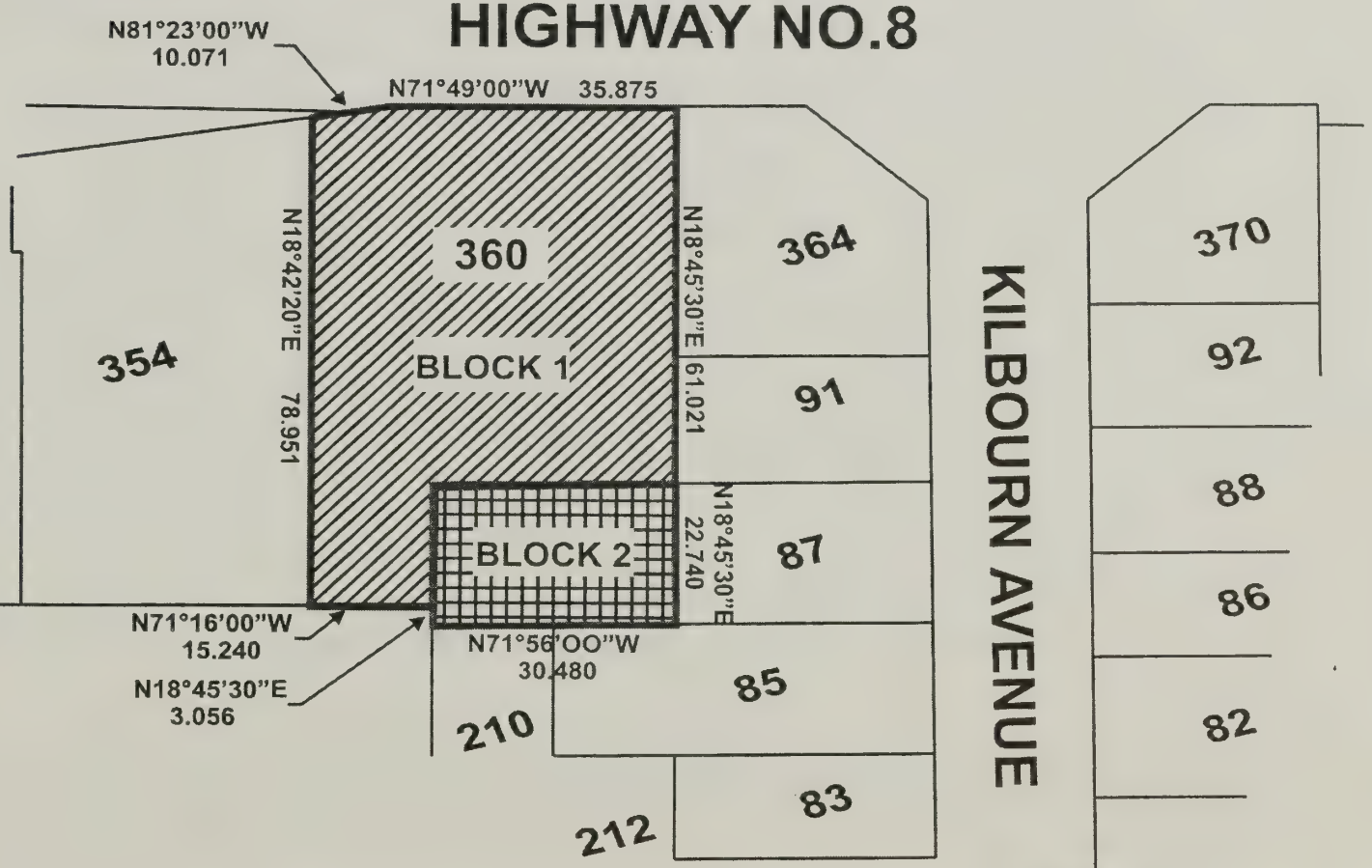


CLERK



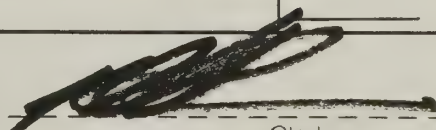
HIGHWAY NO.8

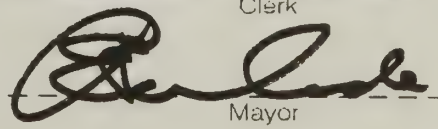
KILBOURN AVENUE



This is Schedule "A" to By-Law No. 03-162

Passed the 25 day of June, 2003


Clerk


Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-162
to Amend By-Law No. 3692-92

Legend

- Block 1** - Lands to be rezoned to the amended General Commercial "GC-26" Zone.
- Block 2** - Lands to be rezoned from the Single Residential-Two "R2" Zone to the amended General Commercial "GC-26" Zone.

	Scale NOT TO SCALE	Reference File No ZAC-03-28
	Date May 27, 2003	Drawn By AF

Authority: Item 9, Hearings Sub-Committee
Report 03-022 (PD03139)
CM: June 25, 2003

Bill No. 163

CITY OF HAMILTON

BY-LAW NO. 03-163

To Amend:

Zoning By-law No. 87-57 (Ancaster)
Zoning By-law No. 3581-86 (Dundas)
Zoning By-law No. 90-145-Z (Flamborough)
Zoning By-law No. 464 (Glanbrook)
Zoning By-law No. 6593 (Hamilton)
Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipalities known as "The Corporation of the Town of Ancaster", "The Corporation of the Town of Dundas", "The Corporation of the Town of Flamborough", "The Corporation of the Township of Glanbrook", "The Corporation of the City of Hamilton", "The Corporation of the City of Stoney Creek", and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of The Corporation of the Town of Dundas passed Zoning By-law No. 3581-86 (Dundas) on the 22nd day of May 1986, which by-law was approved by the Ontario Municipal Board by Order dated the 10th day of May 1988;

AND WHEREAS the Council of The Corporation of the Town of Flamborough passed Zoning By-law No. 90-145-Z (Flamborough) on the 5th day of November 1990, which by-law was approved by the Ontario Municipal Board by Order dated the 21st day of December 1992;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) on the 16th day of March 1992, and approved by the Ontario Municipal Board on the 31st day of May 1993;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster, the Official Plan of the former Town of Dundas, the Official Plan of the former Town of Flamborough, the Official Plan of the former Township of Glanbrook, the Official Plan of the former City of Hamilton and the Official Plan of the former City of Stoney Creek).

AND WHEREAS the Council of the City of Hamilton, in adopting Section 9 of Report 03-022 of the Hearings Sub Committee at its meeting held on the 25th day of June, 2003, recommended that Zoning By-87-57 (Ancaster), Zoning By-law No. 3581-86 (Dundas), By-law No. 90-145-Z (Flamborough), By-law No. 464 (Glanbrook), By-law No. 6593 (Hamilton) and, By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Town of Ancaster

- a. That Section 3: Definitions, of Zoning By-law 87-57 (Ancaster) is hereby amended by adding a new Subsection 3.88.1 as follows:

3.88.1 Model Home

Means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration.

- b. That Section 7: General Provisions, of Zoning By-law 87-57 (Ancaster) is hereby amended by adding a new Subsection 7.27 as follows:

7.27 MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

Notwithstanding any other provision of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling or a townhouse block may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- i. the use shall be permitted in the zone in which the dwelling or townhouse block is to be located;
 - ii. the dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
 - iii. the maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse purposes within the plan of subdivision proposed for registration, to a maximum of twenty (20) dwelling units;
 - iv. the model home shall comply with all other provisions of this by-law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and
 - v. the model home shall comply with all applicable terms and conditions of the said subdivision agreement.
- c. Subject to the amendments made in this By-law, in all other respects, By-law No. 87-57 (Ancaster), including all Schedules thereto, as amended, is hereby unchanged.

2. Town of Dundas

- a. That Section 3: Definitions, of Zoning By-law No. 3581-86 (Dundas) is hereby amended by adding a new Subsection 3.2.58.1 as follows:

3.2.58.1 Model Home

Means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration.

- b. That Subsection 6.19.3 Model Homes of Zoning By-law No. 3581-86 (Dundas) is hereby deleted.
- c. That Section 6: General Regulations is hereby amended by adding a new Subsection 6.19.3a as follows:

6.19.3a MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

Notwithstanding any other provision of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling or a townhouse block may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- i. the use shall be permitted in the zone in which the dwelling or townhouse block is to be located;
- ii. the dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
- iii. the maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse purposes within the plan of subdivision proposed for registration, to a maximum of twenty (20) dwelling units;
- iv. the model home shall comply with all other provisions of this by-law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and

- v. the model home shall comply with all applicable terms and conditions of the said subdivision agreement.
- d. Subject to the amendments made in this By-law, in all other respects, By-law No. 3581-86 (Dundas), including all Schedules thereto, as amended, is hereby unchanged.

3. Town of Flamborough

- a. That Section 3 Definitions, of Zoning By-law No. 90-145-Z (Flamborough) is hereby amended by adding the following new definition as follows:

Model Home

Means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration.

- b. That Section 5 General Provisions, of Zoning By-law No. 90-145-Z (Flamborough) is hereby amended by adding a new Subsection 5.35 as follows:

5.35 MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

Notwithstanding any other provision of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling or a townhouse block may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- i. the use shall be permitted in the zone in which the dwelling or townhouse block is to be located;
- ii. the dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
- iii. the maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse purposes within the plan of subdivision proposed for registration, to a maximum of twenty (20) dwelling units;

- iv. the model home shall comply with all other provisions of this by-law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and
 - v. the model home shall comply with all applicable terms and conditions of the said subdivision agreement.
- c. Subject to the amendments made in this By-law, in all other respects, By-law No. 90-145-Z (Flamborough), including all Schedules thereto, as amended, is hereby unchanged.

4. Township of Glanbrook

- a. That Section 4: Definitions, of Zoning By-law No. 464 (Glanbrook) is hereby amended by adding the following new definition as follows:

Model Home

Means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration.

- b. That Section 7: General Provisions For All Zones, is hereby amended by adding a new Subsection 7.40 as follows:

7.40 MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

Notwithstanding any other provision of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling or a townhouse block may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- i. the use shall be permitted in the zone in which the dwelling or townhouse block is to be located;
- ii. the dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
- iii. the maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse

purposes within the plan of subdivision proposed for registration, to a maximum of twenty (20) dwelling units;

- iv. the model home shall comply with all other provisions of this by-law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and
 - v. the model home shall comply with all applicable terms and conditions of the said subdivision agreement.
- c. Subject to the amendments made in this By-law, in all other respects, By-law No. 464 (Glanbrook), including all Schedules thereto, as amended, is hereby unchanged.

5. City of Hamilton

- a. That Section Two- Interpretation and Definitions, of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding the following new Subsection 2. A. (axii) as follows:

2. A. (axii) Model Home

Means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration.

- b. That Section Six – General Provisions, of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding a new Subsection 6.20 as follows:

6.(20) MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

Notwithstanding any other provision of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling or a townhouse block may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- i. the use shall be permitted in the zone in which the dwelling or townhouse block is to be located;

- ii. the dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
 - iii. the maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse purposes within the plan of subdivision proposed for registration, to a maximum of twenty (20) dwelling units;
 - iv. the model home shall comply with all other provisions of this by-law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and
 - v. the model home shall comply with all applicable terms and conditions of the said subdivision agreement.
- c. Subject to the amendments made in this By-law, in all other respects, By-law No. 6593 (Hamilton), including all Schedules thereto, as amended, is hereby unchanged.

6. City of Stoney Creek

- a. That the Model Home Definition in Part 2, Definitions, of Zoning By-law No. 3692-92 (Stoney Creek) is hereby deleted.
- b. That Part 2, Definitions of Zoning By-law No. 3692-92 (Stoney Creek) is hereby amended by adding the following new Model Home definition;

Model Home

Means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration.

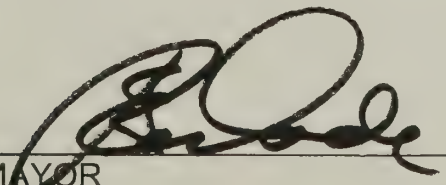
- c. That Subsection 4.15.2 (b), Other Temporary Uses, of Zoning By-law No. 3692-92 (Stoney Creek) is hereby deleted.
- d. That Part 4, General Provisions of Zoning By-law No. 3692-92 (Stoney Creek) is hereby amended by adding a new Subsection 4.20 as follows:

4.20 MODEL HOMES IN DRAFT PLANS OF SUBDIVISION

Notwithstanding any other provision of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling or a townhouse block may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- i. the use shall be permitted in the zone in which the dwelling or townhouse block is to be located;
 - ii. the dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
 - iii. the maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse purposes within the plan of subdivision proposed for registration, to a maximum of twenty (20) dwelling units;
 - iv. the model home shall comply with all other provisions of this by-law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and
 - v. the model home shall comply with all applicable terms and conditions of the said subdivision agreement.
- e. Subject to the amendments made in this By-law, in all other respects, By-law No. 3692-92 (Stoney Creek), including all Schedules thereto, as amended, is hereby unchanged.
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act.

PASSED AND ENACTED this 25th day of June, A.D. 2003


MAYOR


CLERK

C44 ON HBL A08
B91

Authority: Item 12, Committee of the Whole
Report 01-003 (PD01184)
CM: October 16, 2001

Bill No. 164

City of Hamilton

BY-LAW No. 03-164

To Extend City of Hamilton By-law No. 02-226 (*improperly numbered as 02-266*)

Respecting:

**REMOVAL OF PART LOT CONTROL
WITHIN A PORTION OF
"MEADOWLANDS PHASE 4(b)" — PLAN 62M-895**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

By-law Respecting the exemption of lands from part lot control
"Meadowlands Phase 4B", Plan 62M-895
2

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

AND WHEREAS, on August 14, 2002, the Council of the City of Hamilton passed Bill No. 226, being a By-law respecting Removal of Part Lot Control with a portion of "Meadowlands Phase 4(b) – Plan 62M-895";

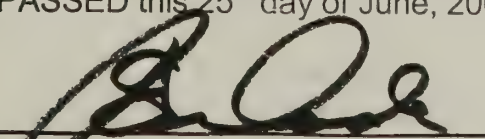
AND WHEREAS the said By-law was improperly numbered as 02-266 instead of 02-226;

AND WHEREAS the said By-law provided for the removal of Part Lot Control in relation to specified lands for a period of time expiring on August 14, 2003;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Bill Number 226 passed on August 14, 2002 is hereby numbered as By-law 02-226 and any reference to the said Bill as By-law 02-266 is hereby repealed;
2. Section 3 of By-law 02-226 is hereby amended by deleting "August 14, 2003" and substituting "June 25, 2005" therefore.
3. All other provisions of By-law 02-226 remain in full force and effect.
4. This By-law shall be registered on title to the land as identified in By-law 02-226 and shall come into force on the date of such registration.

PASSED this 25th day of June, 2003.



MAYOR



CITY CLERK

C44 ON HBL A08
B91

Authority: Item 3, Hearings Sub-Committee
Report 03-019 (PD03097)
CM: May 28, 2003

Bill No. 165

CITY OF HAMILTON

BY-LAW NO. 03-165

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended
Respecting 724 Upper Horning Road,
Owned by Almas Properties Ltd.**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

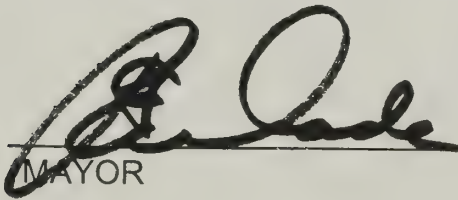
AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

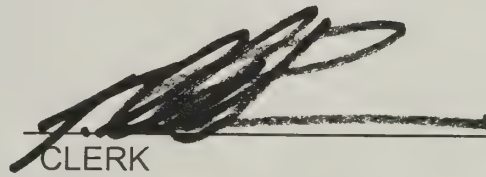
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

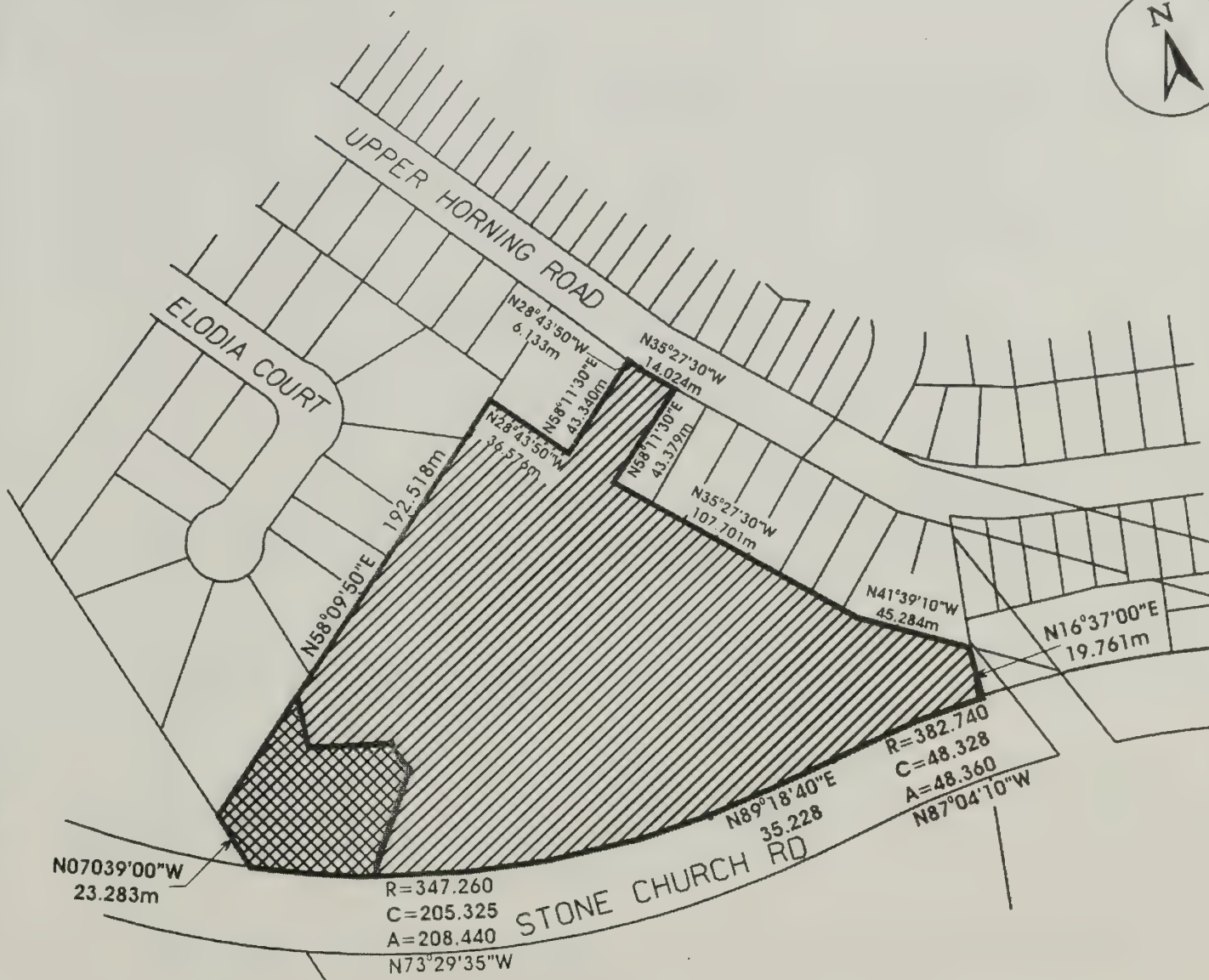
1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended;
 - (a) by changing from Agriculture "A" Zone to Residential "R4" Zone, for lands comprised in Block "1";
 - (b) by changing from Agriculture "A" Zone to Public Open Space "O2" Zone, for lands comprised in Block "2";

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of June, 2003.

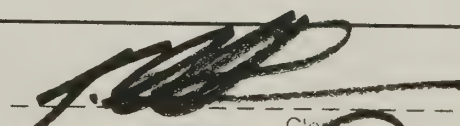
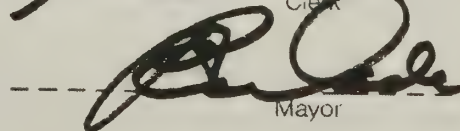

MAYOR


CLERK



This is Schedule "A" to By-Law No. 03-165

Passed the 25 day of June, 2003


Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-165
to Amend By-Law No. 87-57



Hamilton

Planning and Development Department

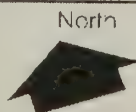
Subject Property



Block 1- Agriculture "A" Zone to
Residential "R4" Zone



Block 2- Agriculture "A" zone to
Public Open Space "O2" Zone



Scale
NOT TO SCALE

Date
June 5, 2003

Reference File No
ZAC-03-81/25T-200214

Drawn By
NM

CA4 ON HBL A08
B91

Authority: Item 1, Hearings Sub-Committee
Report 03-016 (PD03096)
CM: May 14, 2003

Bill No. 166

CITY OF HAMILTON

BY-LAW NO. 03-166

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 1108 5th Concession Road West (Flamborough)
Owned by Jose and Charlotte Fernandes**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS in accordance with the Planning Act, R.S.O., 1990, section 39, Council may pass-by-laws authorizing the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by the zoning by-law;

AND WHEREAS the Council of the City of Hamilton deems it advisable, pursuant to the provisions of this By-law and the occupancy agreement required by this by-law, to permit the temporary use of the land shown on Schedule "A" to this By-law, as a garden suite, on several conditions, including the condition that the owner of the said land have entered into an agreement with and satisfactory to the municipality, as authorized by the Municipal Act, section 207.2;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule No. "A-9" attached to and forming part of Zoning By-law No.90-145-Z (Flamborough), is hereby amended by changing the zoning from Agriculture 'A' to Agriculture 'A-74', those lands being 1108 5th Concession Road West, and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.

2. Section 33.3 – Agriculture "A" Zone is hereby amended by adding the following subsection:

33.3 EXCEPTION NUMBERS

33.3.74 A-74' (See Schedule A-22)

Permitted Uses

- (a) Garden Suite for a ten (10) year period commencing on June 25, 2003 and expiring on June 25, 2013.

A 'garden suite' means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

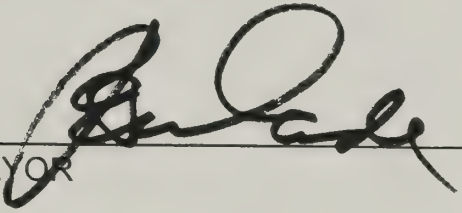
- (b) Any use permitted in an 'A' Zone.

Zone Provisions

- (a) All the zone provisions of Subsection 33.2 Agriculture 'A' Zone shall apply.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of June, 2003 .

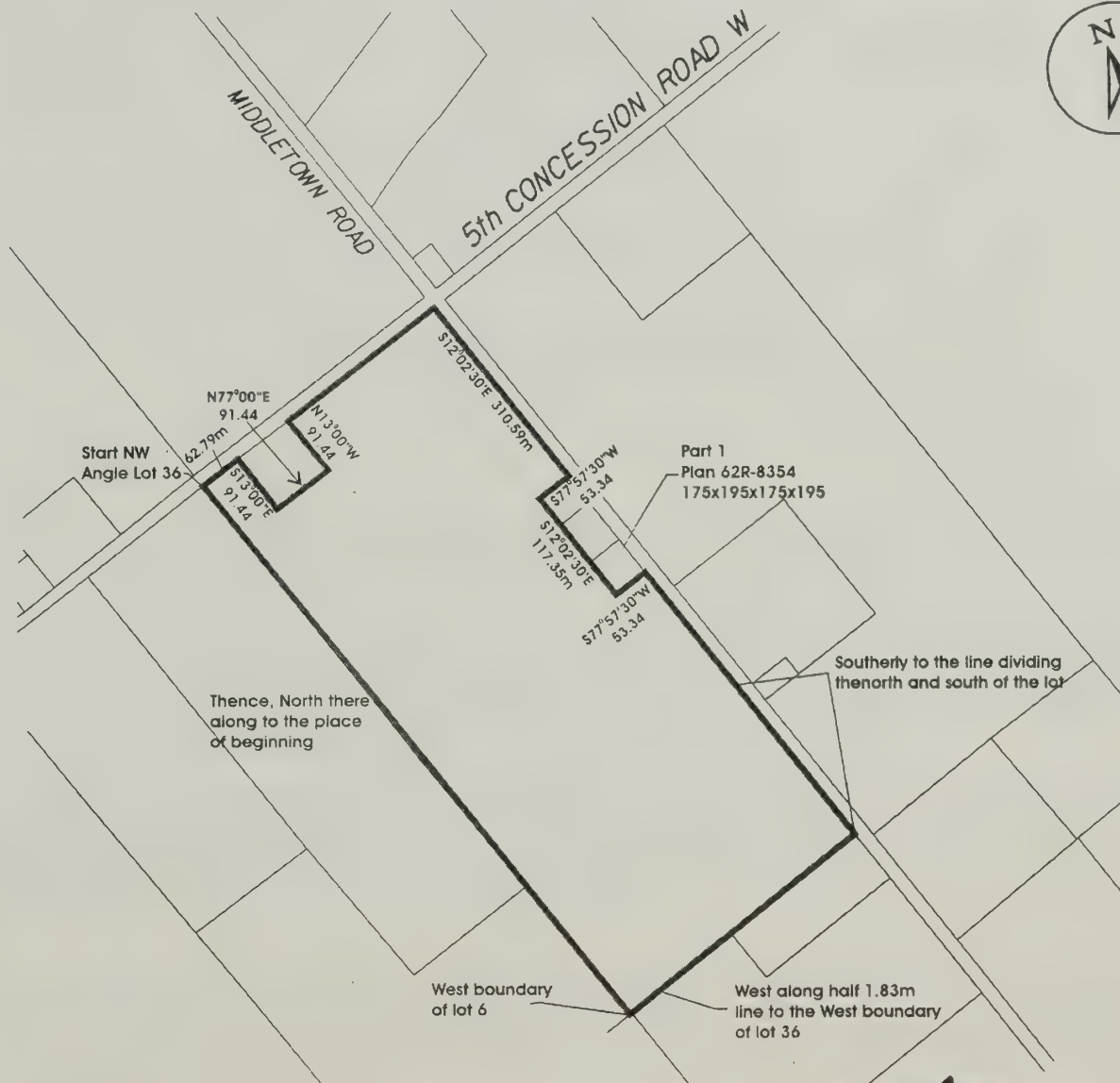


MAYOR



CLERK

Jose and Charlotte Fernandes
ZAR-03-10



This is Schedule "A" to By-Law No. 03—166

Passed the ... 25. day of ... June ,2003

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-166
to Amend By-Law No. 90-145Z



Hamilton

Planning and Development Department



Subject Property
1108 5th Concession Road West

Modification in zoning from an Agriculture "A"
Zone to an Agriculture "A-74" Zone

North



Scale

NOT TO SCALE

Date

March 24, 2003

Reference File No.

ZAR-03-10

Drawn By

NM

Bill No. 167

CITY OF HAMILTON

BY-LAW NO. 03-167

To Amend Zoning By-law No. 6593
Respecting Lands Located at 531 Rymal Road West

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 2 of Report 03-018 of the Hearing Sub Committee at its meeting held on the 21st day of May, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

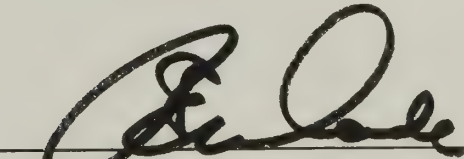
1. Sheet No. W-27e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1");

- (b) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District (Block "2");
- (c) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse – Maisonette) District (Block "3"); and,
- (d) by changing from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District, "R-4" District, "RT-20" District and "A" District provisions.
- 3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 25th day of June, 2003.



MAYOR



CLERK



Schedule "A"

Map Forming Part of
By-Law No. 03-167
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

- Subject Property
531 Rymal Road West
- Block 1 - Change in zoning from "AA" (Agricultural)
District to "C" (Urban Protected Residential, etc.) District
- Block 2 - Change in zoning from "AA" (Agricultural)
District to "R-4" (Small Lot single Family Detached) District
- Block 3 - Change in zoning from "AA" (Agricultural)
District to "RT-20" (Townhouse - Maisonette) District
- Block 4 - Change in zoning from "AA" (Agricultural)
District to "A" (Conservation, Open Space, Park & Recreation) District

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-02-82
	Date	Drawn By
	June 2, 2003	L.M.M.

City of Hamilton

BY-LAW No. 03-168

Respecting:

Removal of Part Lot Control
Blocks 1 & 2, 62M-979
"Scenic South, Phase 4"

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

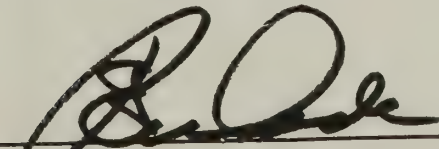
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Blocks 1 and 2, to create thirteen (13) freehold townhouse units and associated maintenance easements, as shown on Appendix "A" to this By-law, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

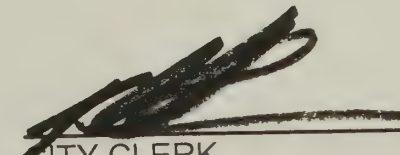
Blocks 1 and 2, Plan 62M-979, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: July 1, 2005.

PASSED this 25th day of June, 2003.



MAYOR



CITY CLERK

CA4 ON HBL A08
B91

Authority: Item 11, Hearings Sub-Committee
Report 03-022 (PW03073)
CM: June 25, 2003

Bill No. 169

**CITY OF HAMILTON
BY-LAW NO. 03-169
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

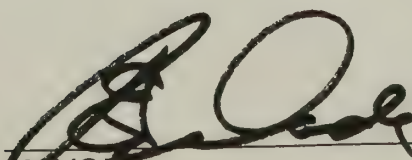
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 27 (Truck Routes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "C" thereof the following items, namely:

"Millgrove Side Road	Concession 5 West to Hwy 6	Anytime"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 25th day of June, 2003



MAYOR



CLERK

CITY OF HAMILTON

BY-LAW NO. 03-170

To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Hess	East	Bold to Hunter	1 hr	8 am – 8 am	Mon - Sat"
				(24 hrs)	

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "C" thereof the following item, namely:

"Fallsview	South	from 150m east of Short Rd. to 24m	Anytime"
Rd.		easterly	

and by deleting from Section "C" thereof the following items, namely:

"Fallsview	Both	Short Rd. to 600m east dead end	Anytime
Rd.			

Fallsview Rd.	All	All of cul-de-sac	Anytime"
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and by adding to Section "E" thereof the following item, namely:

"Upper Sherman	West	from 45.4m south of Brucedale to Rymal	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Upper Sherman	West	from 45.4m south of Brucedale to Mackenzie	Anytime
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Upper Sherman	West	Franklin to Rymal	Anytime
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Upper Kenilworth	Both	Mohawk to Southerly End	Anytime
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Upper Kenilworth	Both	Mohawk to Southerly End	Anytime"
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3. Schedule 10 (Alternate Side Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

"Pirie Drive	Davidson Boulevard to Huntingwood Avenue	South & East	North & West
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4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Barton	North	from 19m west of Caroline to 6m westerly	Anytime
---------	-------	--	---------

Hess	East	Bold to 63m northerly	Anytime
------	------	-----------------------	---------

Poulette	East	from 39m south of Hunter to 6m southerly	Anytime
----------	------	--	---------

Ray	East	from 69.8m north of York to 7.7m northerly	Anytime
-----	------	--	---------

Stirton	East	from 120m south of Wilson to 5m southerly	Anytime
---------	------	---	---------

Stirton West from 117m south of Wilson to 5m southerly Anytime"

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "C" thereof the following items, namely:

"Fallsview Rd.	North	Short Rd. to easterly end of Fallsview Rd.	Anytime
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Fallsview Rd.	South	Short Rd. to 150m easterly	Anytime
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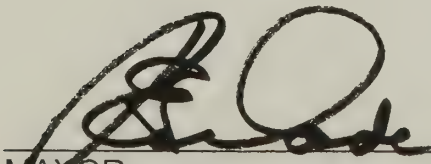
Fallsview Rd.	South	from 174m east of Short Rd. to easterly end of Fallsview Rd.	Anytime
---------------	-------	--	---------

Fallsview Rd.	Both	All of cul-de-sac	Anytime
---------------	------	-------------------	---------

Short Rd.	Both	Fallsview Rd. to 30m northerly	Anytime"
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6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 25th day of June, 2003.



MAYOR



CLERK

CAY ON HBL A08
B91

Item 26 ,
Authority: Committee of the Whole
Report 03-18
CM June 25, 2003

Bill No. 171

CITY OF HAMILTON

BY-LAW NO. 03-171

**To Amend By-law 03-101, Relating to the 2003 Canadian Road Race Cycling
Championship**

WHEREAS when By-law 03-101 was enacted, the City was in discussion with Hamilton 2003 Cycling Championship (the "Corporation") with respect to the terms and conditions under which the race would be permitted to proceed;

AND WHEREAS those discussions have now been successfully concluded;

AND WHEREAS it is necessary to modify the existing By-law in order to give effect to the agreement that has been reached between the City and the Corporation with respect to the 2003 Canadian Cycling Championships.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Interpretation

Section 1 of By-law 03-101 shall apply to the interpretation of this By-law as if reproduced herein.

2. Amendments to By-law 03-101

2.1 Clause (a) and (c) of section 5.3 of the By-law is amended by

- (a) deleting therefrom the words "and contingent employers liability coverage"; and

- (b) deleting the present sub-clause (iv) and replacing it with the following text:

“include the City as an additional insured, to the extent of the Corporation’s obligations to the City under this By-law or the agreement contemplated under section 5.4;”

- 2.2 Clause 5.4 (b) be amended by deleting the following text:

“or to which any of them may be exposed by reason of the holding of any or all of the Event, or that arise from closing of any road, or the restriction of any traffic on any road”

- 2.3 Section 6.3 be deleted.

- 2.4 Section 7.2 be deleted.

- 2.5 Section 12.5 be deleted.

- 2.6 Section 12.7 is amended by deleting therefrom the typographical error “\$5050,000” and substituting therefore “\$350,000 in such manner as the City and the Corporation may agree”.

- 2.7 Section 13.2 be deleted.

3. Grant of Discretion

Where, the City Manager and the Mayor are of the joint opinion that the requirements of

- (a) the agreement contemplated under section 5.4 of By-law 03-101, or

- (b) By-law 03-101 as amended by this By-law

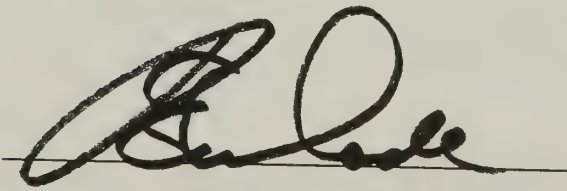
have been substantially satisfied, and one or both of them has consulted and been advised by,

- (c) the Chief of Police and the General Manager of Emergency Services that any failure to comply with the requirements of those By-laws does not present a risk to public safety;

- (d) the City's Manager of Risk Management that those failures do not present an unacceptable level of additional insurance risk to the City and are not likely to compromise its ability to recover indemnification under any contract of insurance;
- (e) the General Manager of Public Works that no material additional traffic delay or other material public works related issue is likely to arise by virtue of those failures,

then the Mayor and the City Manager may waive strict compliance with the By-law or the requirements of the agreement contemplated under subsection 5.4 and permit the Event to be held.

PASSED and ENACTED this 25th day of June, 2003.


MAYOR
CLERK

THE CITY OF HAMILTON

BY-LAW NO. 03-172

To Confirm the Proceedings of City Council at its meeting held on June 25, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

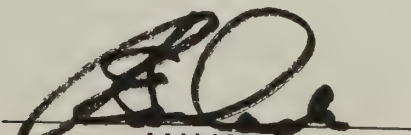
1. The Action of City Council at its meeting held on the 25th day of June, 2003 in respect of each recommendation contained in:

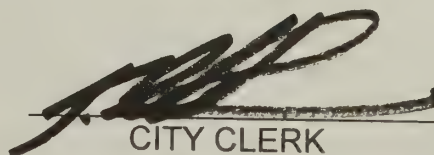
Report 03-017 of the Committee of the Whole,
Report 03-018 of the Committee of the Whole
Report 03-022 of the Hearings Sub-Committee,
Report 03-023 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 25th day of June, 2003


MAYOR


CITY CLERK

Authority: Item 15, Committee of the Whole
Report 03-019 (PD03172/HCS03024)
CM: July 9, 2003

Bill No. 173

CITY OF HAMILTON

BY-LAW No. 03-173

**A BY-LAW TO PROHIBIT AND REGULATE THE ACCUMULATION OF STANDING
WATER AT SPECIFIED TIMES OF THE YEAR**

WHEREAS section 128 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, permits a local municipality to enact by-laws to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances, and the opinion of council, if arrived at in good faith, is not subject to review by any court;

AND WHEREAS section 130 of the said Municipal Act, 2001, permits a municipality to enact by-laws to regulate matters not specifically provided for by the said Act or any other Act for purposes related to the health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS the City of Hamilton was constituted as a body corporate by the City of Hamilton Act, 1999, S.O. 1999, c.14, Schedule C, and is deemed to be both a "single-tier municipality" and a "local municipality" by the said Municipal Act, 2001;

AND WHEREAS it is the opinion of the Council of the City of Hamilton that the presence of standing bodies of water in urban areas and rural settlement areas is likely to afford a breeding area for various types of insect pests, including mosquitoes, and therefore is likely to interfere with the enjoyment of the use of private properties and public areas by the owners and occupants of private property and by members of the public at large, at those times of the year when individuals wish to be outdoors, and that such bodies of standing water therefore constitute a public nuisance;

AND WHEREAS it is the opinion of the Medical Officer of Health for the City of Hamilton that the presence of bodies of standing water in urban areas and rural settlement areas during periods of the year when the average daily outdoor air temperatures ordinarily exceeds five degrees Celsius is likely to afford a breeding area for those species of mosquitoes which are known to be a vector for the transmission of the virus known as "West Nile virus", which may have serious and severe adverse health consequences for individuals of all ages, including meningitis, encephalitis, death, or prolonged disability;

AND WHEREAS section 427 of the said Municipal Act, 2001, provides that where a municipality has authority by by-law or otherwise to direct or require that a matter or

**A By-law to Prohibit and Regulate the Accumulation
of Standing Water at Specified Times of the Year**

thing be done, the municipality may direct that, in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense and the municipality may recover the costs of doing such matter or thing by action or by adding the costs to the tax roll and collecting them in the same manner as taxes;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. In this By-law:

- (a) "former municipality" means the City of Hamilton, the Town of Dundas, the City of Stoney Creek, the Town of Ancaster, the Town of Flamborough, and the Township of Glanbrook, which municipalities were dissolved by subsection 5(1) of the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule C;
- (b) "inspector" means a building inspector employed in the Buildings Division of the Planning and Development Department, a public health inspector employed in the Health Protection Branch of the Public Health and Community Services Department, or any other person appointed by the Director of Building and Licensing or the Director of the Health Protection Branch for the purpose of enforcing this By-law, and includes a municipal law enforcement officer employed by the City of Hamilton whose duties include the enforcement of this By-law;
- (c) "land" includes buildings;
- (d) "occupant" means any person over the age of 18 years who is in the actual possession of land which is subject to this By-law;
- (e) "owner" includes both the owner in trust and the beneficial owner of land;
- (f) "standing water" means any body of water in a liquid state, contained either by natural features or artificial restrictions, which is in excess of 2.5 centimetres in depth at the deepest point within the body of water, and on which there is no discernible movement of water or sustained disturbance of the water surface, when viewed from a horizontal distance of not more than one metre from any point on the perimeter of the body of water.

2.(1) Every owner or occupant of land shall ensure that standing water does not accumulate on the land between April 1 and October 31 of each year.

(2) Subsection (1) does not apply to standing water which is present on:

**A By-law to Prohibit and Regulate the Accumulation
of Standing Water at Specified Times of the Year**

- (a) land which is situated outside the Urban Area Boundary in accordance with the Official Plan of the former Regional Municipality of Hamilton-Wentworth, as amended from time to time, as shown on Map No. 1 of the said Official Plan, unless the land is within a Rural Settlement Area which has been designated in accordance with the Official Plan of a former municipality;
 - (b) the roof of a building or other structure;
 - (c) a highway, driveway, parking lot, walkway, or other surface composed of an impermeable material, which is intended to be used for the purposes of parking of vehicles, public assembly, recreation, or transportation, other than a swimming pool, wading pool, or hot tub;
 - (d) land which is situated within or adjacent to the boundaries of an area which has been designated as an Environmentally Significant Area in accordance with the Official Plan of the former Regional Municipality of Hamilton-Wentworth, as amended from time to time, as shown on Map No.4 of the said Official Plan.
- (3) Subsection (1) does not apply to standing water which has been treated in a manner which can reasonably be expected to prevent the breeding of various types of insect pests, including mosquitoes, in a manner acceptable to the Medical Officer of Health.
- (4) Subsection (1) does not apply to standing water which is being agitated on a continuous basis in a manner which can reasonably be expected to prevent the breeding of various types of insect pests, including mosquitoes, in a manner acceptable to the Medical Officer of Health.
- 3.(1) The Director of Building and Licensing or an inspector may issue an order in writing to an owner or occupant requiring the owner or occupant to
- (a) drain the standing water from the property;
 - (b) fill in the area within which the standing water has accumulated;
 - (c) remove the standing water from the property by any other reasonable means;
 - (d) treat the standing water in a manner acceptable to the Medical Officer of Health which can reasonably be expected to prevent the breeding of various types of insect pests, including mosquitoes; or,

**A By-law to Prohibit and Regulate the Accumulation
of Standing Water at Specified Times of the Year**

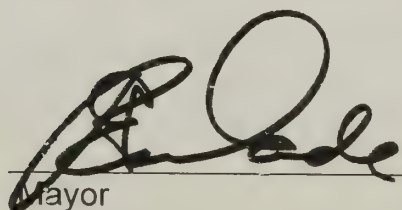
- (e) agitate the standing water on a continuous basis in a manner acceptable to the Medical Officer of Health which can reasonably be expected to prevent the breeding of various types of insect pests, including mosquitoes.
 - (2) An order under subsection (1) shall identify the land and the specific standing water which is the subject of the order.
 - (3) An order under subsection (1) may specify the time or times when or the period or periods within which the person to whom the order is directed must comply with the order.
 - (4) An order under subsection (1) may be personally delivered to the owner or the occupant, or an agent of the owner or occupant, or to a person who apparently is in charge of the land to which the order applies.
 - (5) An order under subsection (1) may be delivered to a person described in the order, and an order is not invalid because a person to whom the order is issued is not named in the order.
 - (6) Notwithstanding subsection (4), an order under subsection (1) may be posted in a conspicuous location on any structure located on the land where standing water is present, and sent by pre-paid regular mail to the last-known address of the owner of the property.
- 4.(1) The Director of Building and Licensing or an inspector may enter and have access to, through and over any land at any reasonable time in order to determine whether there is standing water on the land.
- (2) The Director of Building and Licensing or an inspector may make examinations, investigations, tests and inquiries with respect to any standing water on the land.
 - (3) The Director of Building and Licensing or an inspector may take and remove samples related to an examination, investigation, test or inquiry with respect to standing water on the land.
 - (4) Every owner or occupant, or agent of an owner or occupant, and every person apparently in charge of land on which the Director of Building and Licensing or an inspector suspects there may be standing water, shall permit the Director of Building and Licensing or an inspector to enter and have access to, through and over the land upon the production of identification issued by the City of Hamilton.
- 5.(1) Where the owner or occupant, or the agent of the owner or occupant, or the person apparently in charge of the land does not comply with an order issued under subsection 3(1) within the time specified for compliance, the Director of Building and Licensing or an inspector may drain the standing water from the

**A By-law to Prohibit and Regulate the Accumulation
of Standing Water at Specified Times of the Year**

land, fill in the area within which the standing water has accumulated, remove the standing water from the land by any other reasonable means, or treat or agitate the standing water in a manner acceptable to the Medical Officer of Health which can reasonably be expected to prevent the breeding of various types of insect pests, including mosquitoes.

- (2) The City of Hamilton may recover all costs and expenses associated with actions taken and work done to land under this section in a manner as provided by statute, whether by action or as otherwise provided, plus interest at the rate of fifteen per cent per annum from the day the City of Hamilton incurs such costs and ending on the day the costs including interest are paid in full.
- (3) The Director of Building and Licensing or an inspector may engage the services of persons to act as agents of the City in Hamilton in carrying out the actions described in subsection (1).
- 5. No person shall hinder or obstruct an inspector, or any person acting under the direction of the Director of Building and Licensing or an inspector, who is engaged in lawfully carrying out any acts under this By-law.
- 6. Every person who contravenes a provision of this by-law is guilty of an offence and upon conviction is liable to the penalties under the Provincial Offences Act, R.S.O. 199, c. P. 33, as amended.
- 7. This By-law may be referred to as "The Standing Water By-law".
- 8. This By-law comes into force on the date of its enactment.

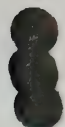
ENACTED AND PASSED this 9th day of July, 2003.



Mayor



City Clerk



CA4 ON HBL A08
B91
2003

Authority: Item 7, Hearings Sub-Committee
Report 03-022 (PD03142)
CM: June 25, 2003

Bill No. 174

CITY OF HAMILTON

BY-LAW NO. 03-174

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1599 Stone Church Road East**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 7 of Report 03-022 of the Hearing Sub Committee at its meeting held on the 18th day of May, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

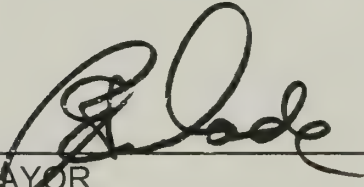
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

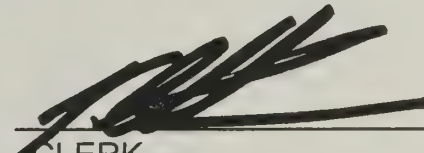
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) District provisions, as contained in Section 17F of Zoning By-law No. 6593, applicable to the lands, the extent boundaries of which are shown on a plan hereto annexed as Schedule "A", be modified to the extent only of the special requirements that,

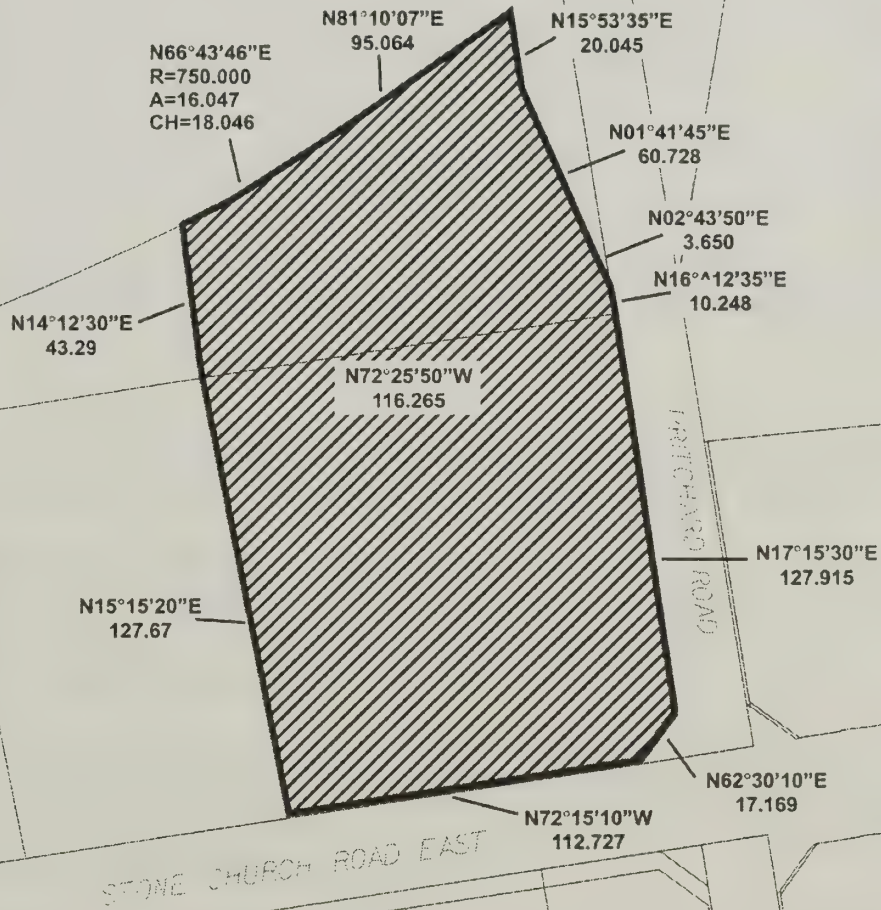
- (a) notwithstanding Section 17F of Zoning By-law No. 6593, the sale of Household Furniture, Appliances and Furnishings shall also be permitted; and,
- (b) notwithstanding Section 18A (1) of Zoning By-law No. 6593, a minimum of 1 parking space per 43 square metres of gross floor area shall be provided and maintained for a Household Furniture, Appliances and Furnishings retail store.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-14" District provisions.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 9th day of July, 2003.



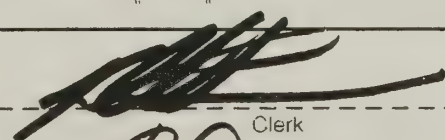
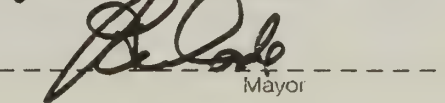
MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 174

Passed the 9th day of July, 2003


Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-174
to Amend By-Law No. 65-93



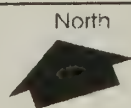
Hamilton

Planning and Development Department

Legend



Subject Property
1599 Stone Church Road East



North

Scale
NOT TO SCALE

Date
June 24, 2003

Reference File No.
ZAC-03-26

Drawn By
MC

CA4 ON HBL A08
B91
2003

Authority: Item 8, Hearings Sub-Committee
Report 03-022 (PD03141)
CM: June 25, 2003

Bill No. 175

CITY OF HAMILTON

BY-LAW NO. 03-175

To Amend Zoning By-law No. 6593
Respecting Lands Located at 1709 Upper James Street

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 8 of Report 03-022 of the Hearing Sub Committee at its meeting held on the 18th day of May, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-9e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "B" (Suburban Agriculture) District to "HH" (Restricted Community Shopping and Commercial) District;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 9th day of July, 2003.

MAYOR

CLERK

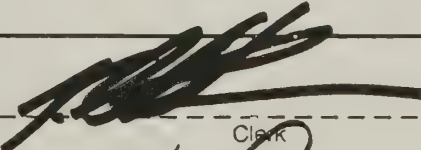
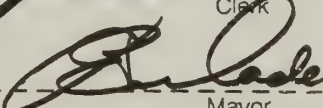
UPPER JAMES STREET



N70°23'00"W 49.58
N18°18'45"E 15.24
N18°17'00"E 15.27
N70°22'00"W 46.63

This is Schedule "A" to By-Law No. 03—175

Passed the 9th day of July, 2003


Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-175
to Amend By-Law No. 65-93



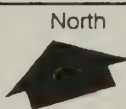
Hamilton

Planning and Development Department

Legend



Subject Property
1709 Upper James Street



Scale
NOT TO SCALE

Date
June 25, 2003

Reference File No.
ZAC-03-20

Drawn By
MC

Bill No. 176

CITY OF HAMILTON

BY-LAW NO. 03-176

To Amend Zoning By-law No. 6593
Respecting Lands Located at 271 Stone Church Road East

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3 of Report 03-007 of the Hearing Sub Committee at its meeting held on the 26th day of February, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

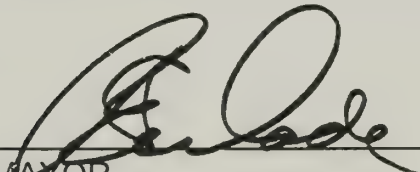
1. Sheet No. E-18C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, Etc.) District the lands comprised in Block "1",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, Etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1" and Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:
 - (a) Notwithstanding Section 9.(1) of Zoning By-law No. 6593, a hospice for a maximum of ten (10) residents shall be permitted;
 - (b) For the purposes of this By-law a "Hospice" means a building used for the purposes of palliative care for the well being of residents, their families and caregivers, through the provision of supportive care programs and services;
 - (c) For purposes of a hospice having a maximum of ten (10) residents:
 - 1) Section 18A.(12)(c) of Zoning By-law No. 6593, shall not apply along the rear property line and along the rear thirty (30) metres of the east property line where no parking, access driveways or turnarounds are located;
 - 2) Notwithstanding Section 9.(3)(iii) of Zoning By-law No. 6593, a rear yard of a depth of at least fifty (50) metres shall be provided and maintained;
 - 3) In addition to the requirements of Section 18A of Zoning By-law No. 6593, vehicular access to the subject lands shall only be permitted from Stone Church Road East; and,
 - 4) A minimum of seven (7) parking spaces shall be provided and maintained.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, Etc.) District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1485.
5. Sheet No. E-18C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1485.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

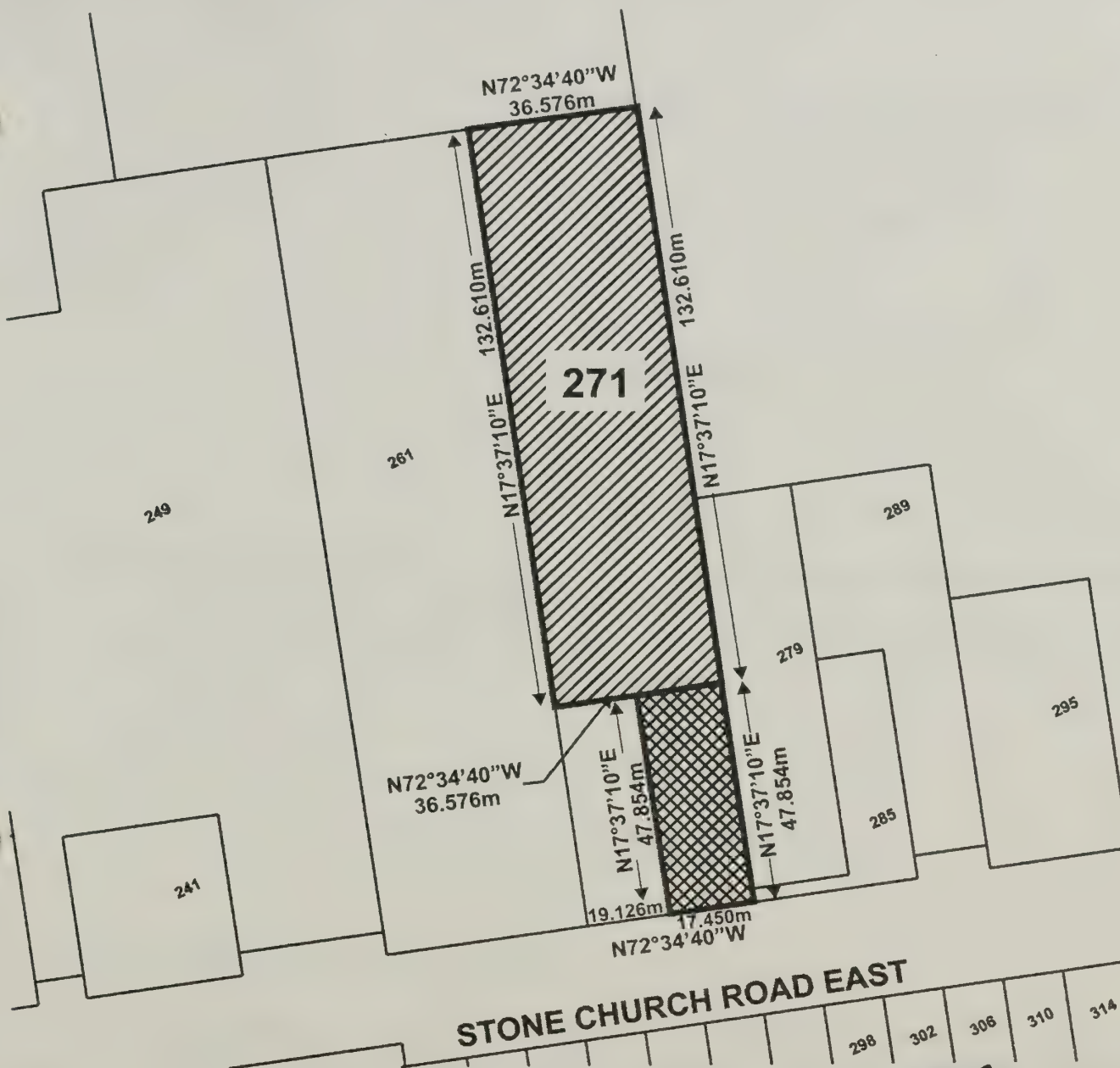
PASSED and ENACTED this 9th day of July, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03—176

Passed the9th..... day ofJuly....., 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-176
to Amend By-Law No. 6593



Planning and Development Department

Legend

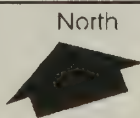
Subject Property
271 Stone Church Road East



Block 1-Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, Etc.) District, Modified



Block 2-Modification to the "C" (Urban Protected Residential, Etc.) District provisions



Scale
NOT TO SCALE

Date
June 25, 2003

Reference File No.
ZAC-02-79

Drawn By
AF

CA4 ON HBL A08
B91
2003

Authority: Item 4, Hearings Sub-Committee
Report: 03-022 (PD03148)
CM: June 25, 2003

Bill No. 177

CITY OF HAMILTON

BY-LAW NO. 03-177

To Adopt:

Official Plan Amendment No. 13 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth; and,
Official Plan Amendment No. 40 to the Official Plan of the former Township of Glanbrook.

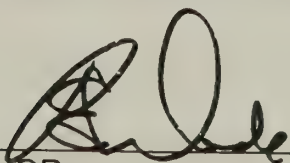
Respecting:

1832 Upper James Street (Highway 6)

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 13 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No. 40 to the Official Plan of the former Township of Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
3. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 9th day of July 2003.



MAYOR



CLERK

Amendments

to the

**The Former Regional Municipality of Hamilton-Wentworth Official Plan and the
Official Plan of the Former Township of Glanbrook**

The following text together with Map No. 1, Regional Development Pattern of the former Regional Municipality of Hamilton-Wentworth Official Plan, and Schedule 'A', Land Use Plan of Official Plan of the former Township of Glanbrook, attached hereto, constitutes:

1. Official Plan Amendment No. 13 to the former Regional Municipality of Hamilton-Wentworth Official Plan; and
2. Official Plan Amendment No. 40 to the Official Plan of the former Township of Glanbrook.

Purpose:

The purpose of the Amendments is to establish a site specific policy to permit an motor vehicle dealership, motor vehicle repair shop, and motor vehicle related sales on individual private services/holding tank.

Location:

The lands affected by these Amendments are located on the west side of Upper James Street (Highway 6), 1832 Upper James Street (Highway 6) in the former Township of Glanbrook.

Basis:

The intent of the Amendments is to permit an automobile dealership and automobile repair shop. The basis for permitting the proposal is as follows:

- The proposed uses are compatible with uses permitted in the "Airport-Related Commercial" designation; and
- The development can be serviced in an environmentally appropriate and adequate manner.

Actual Changes:

1. That the former Regional Municipality of Hamilton-Wentworth Official Plan be amended as follows:

- 1.1 That Subsection C 3.1.4, Airport Business Park, be amended by adding Subsection C 3.1.4.6 as follows:

"C 3.1.4.6 Further to Subsection 3.1.4.1, on the lands known municipally as 1832 Upper James Street (Highway 6) with an area of 0.2 hectares (0.5 acres), as identified as Special Policy Area 5 on Map No. 1, a motor vehicle dealership, a motor vehicle repair shop, and motor vehicle related sales are permitted use."

2. That the Official Plan of the former Township of Glanbrook be amended as follows:

- 2.1 That Schedule "A" – Land Use Plan of the former Township of Glanbrook Official Plan be revised by identifying the subject lands as subject to OPA No. 40, and that the table entitled "Amendments" on Schedule "A" be amended to include OPA No. 40, the Final Approval Date of this OPA and Specific Policy Reference B.2.4.15, as shown on the attached Schedule "A" of this Amendment.

- 2.2 That Section B.2.4, Airport-Related Commercial, be amended by adding Subsection B.2.4.15 as follows:

"B.2.4.15 Lands located on the west side of Upper James Street (Highway 6) south of Christopher Drive known municipally as 1832 Upper James Street (Highway 6)

Further to Subsection B.2.4.1 on the lands known municipally as 1832 Upper James (Highway 6) with an area of 0.2 hectares (0.5 acres) a motor vehicle dealership, motor vehicle repair shop, and motor vehicle related sales are a permitted uses.

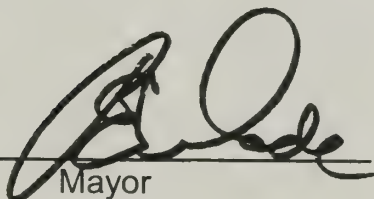
Notwithstanding Subsection 2.4.6, any proposed motor vehicle dealership, motor vehicle repair shop, and motor vehicle related sales may proceed on the basis of appropriate private sewage system and storm drainage system to the satisfaction of the municipality, until such time as municipal sanitary sewer services and storm drainage system are available."

Implementation:

An implementing Zoning By-Law Amendment and Site Plan Agreement will give effect to the Amendments.

This is Schedule 1 to By-law No. 03-177 passed on the 9th day of July, 2003.

The
City of Hamilton



Mayor

City Clerk

OFFICIAL PLAN FOR THE TOWNSHIP OF GLANBROOK

SCHEDULE A LAND USE PLAN

LEGEND

- RURAL AREA**
- AGRICULTURAL
 - WOODBURN RURAL SETTLEMENT AREA
 - RURAL INDUSTRIAL - BUSINESS PARK
 - RURAL INDUSTRIAL
 - INSTITUTIONAL
 - PUBLIC INDUSTRIAL
 - OPEN SPACE AND CONSERVATION
 - SPECIAL POLICY AREA 1
- URBAN AREA**
- RESIDENTIAL
 - GENERAL COMMERCIAL
 - BINBROOK VILLAGE
 - BINBROOK COMMUNITY CORE
 - AIRPORT-RELATED COMMERCIAL
 - AIRPORT
 - AIRPORT INDUSTRIAL-BUSINESS PARK
 - NORTH GLANBROOK INDUSTRIAL-BUSINESS PARK

DATE	DECEMBER 2000	SCALE	N.T.S.
DRAWN BY	L.C.		
NOTE: THIS PLAN WAS PREPARED BY THE TOWNSHIP OF GLANBROOK AND IS NOT A LEGAL DOCUMENT. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN THE NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.			

Schedule A AMENDMENT No. 40 To the Official Plan for the former Township of Glanbrook

LANDS subject to OPA No. 40 and Special
Policy Reference B.2.4.15.

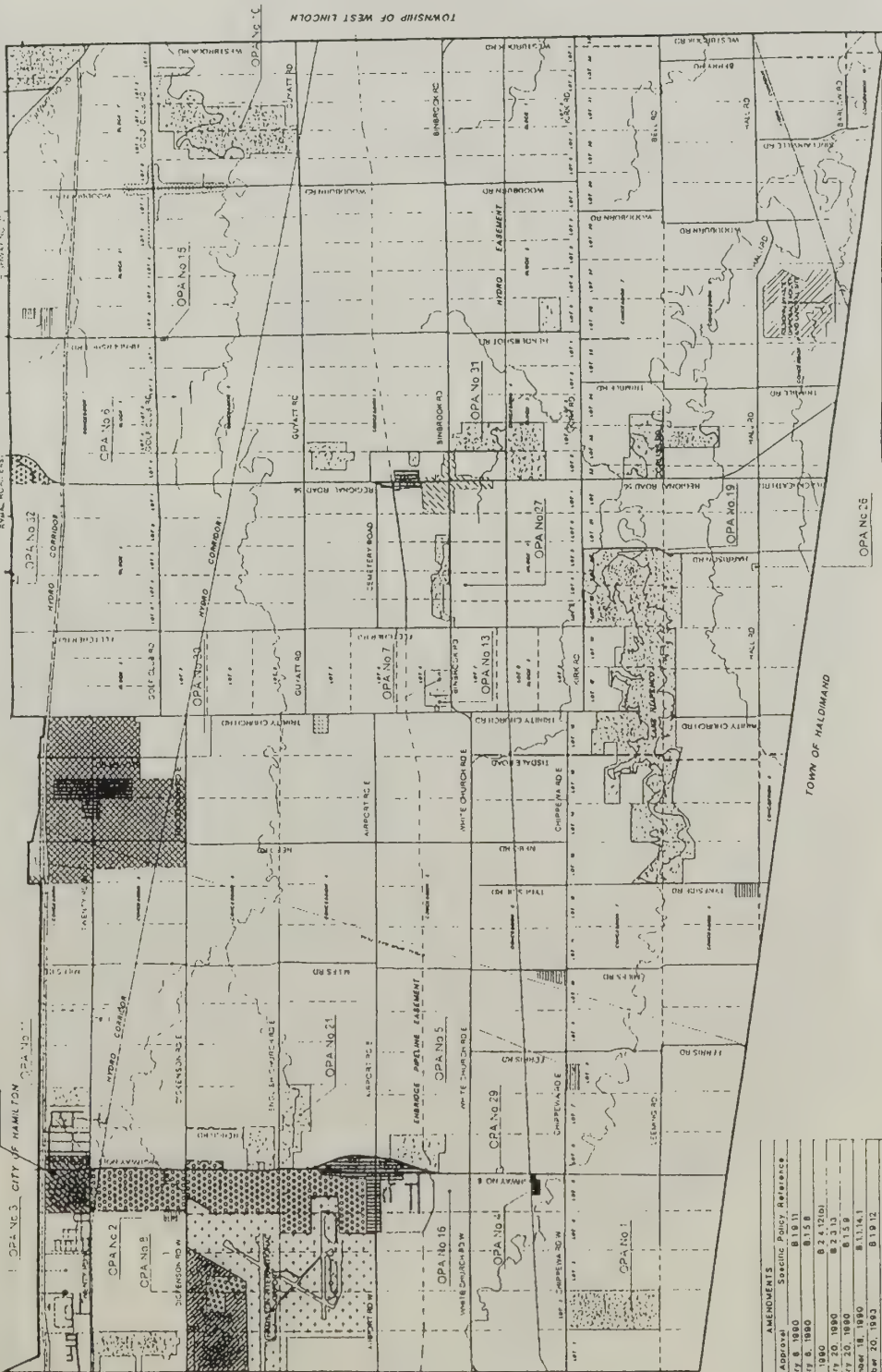
LEGEND

DATE:	May 2003	REVISED BY:	Michelle Sargi	REFERENCE FILE NO.	OPA 40 (G)
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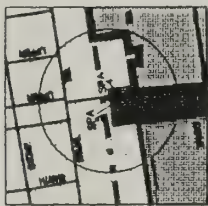
AMENDMENTS	
No.	Final Approval
1	March 2, 2001
2	May 29, 2002
3	May 29, 2002
4	July 9, 2003

AMENDMENTS	
No.	Final Approval
1	March 2, 2001
2	May 29, 2002
3	May 29, 2002
4	July 9, 2003

AMENDMENTS	
No.	Final Approval
1	March 2, 2001
2	May 29, 2002
3	May 29, 2002
4	July 9, 2003



MAP No. 1



Map 1
Amendment 1
to the Official Plan for the former Region
of Hamilton-Wentworth

Proposed Changes:
Proposed Special Policy Area 5 (SPA 5)

DATE:
April 2008

Reviewed By:
Michelle Sangi

Reference File No.
RCPA 13

REFERRAL No. 5

REFERRAL No. 7

REFERRAL No. 1

REFERRAL No. 11



REGIONAL DEVELOPMENT PATTERN



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Environment Department

- | URBAN AREAS | RURAL AREAS | OTHER |
|----------------------------------|-------------------|-------------------------------|
| Urban Area Boundary | Rural Area | Parley Belt West Policy Areas |
| Urban | Rural Settlements | Special Policy Areas |
| Business Parks | | Airport |
| Regional Centre | | |
| Mixed-use Centre | | |
| High Density Mixed-use Corridors | | |
| | | Future Roadway |
| | | Municipal Boundary |
| | | Hydro Corridor |

CA4 ON HBL A08
B91
2003

Authority: Item 4, Hearings Subcommittee
Report 03-022 (PD03148)
CM: June 25, 2003

Bill No. 178

CITY OF HAMILTON

BY-LAW NO. 03-178

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 1832 Upper James Street (Highway No. 6)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exemptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the Airport-Related Commercial "C5" Zone to a site-specific Airport-Related Commercial "C5-180" Zone, the land known as 1832 Upper James Street (Highway No. 6), the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", on the following basis:

That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No.464, be amended by adding Special Exemption "C5-180" to include the following:

C5-180

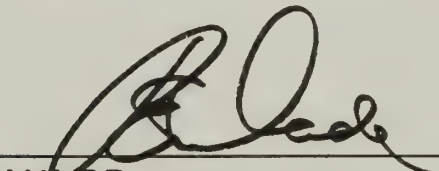
1. "Notwithstanding the uses permitted in **Section 27: Airport-Related Commercial "C5" Zone, Subsection 27.1 Permitted Uses**, the following uses shall also be permitted on those lands zoned "C5-180" by this By-law:

(i) Motor vehicle dealership and motor vehicle repair shop.

2. The provisions of Section 26: Motor Vehicle Services "C4" Zone of this By-Law shall apply to a motor vehicle dealership and motor vehicle repair shop, save and except the minimum landscaped requirements established in Paragraph (k) to Subsection 27.2 of this By-Law, which shall continue to apply to all permitted uses established within the Airport-Related Commercial "C5-180" Zone."

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 9th day of July, 2003.



MAYOR

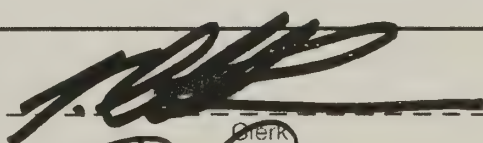


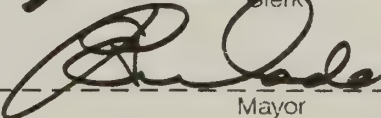
CLERK



This is Schedule "A" to By-Law No. 03—178

Passed the9th..... day ofJuly....., 2003


Clerk


Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-178
to Amend By-Law No. 464



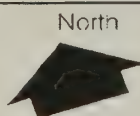
Hamilton

Planning and Development Department

Legend



Subject Property
1832 Upper James Street



North

Scale
NOT TO SCALE

Date
June 30, 2003

Reference File No.
ZAR-03-08

Drawn By
AF

CA4 ON HBL A08
B91
2003

Authority: Item 6, Committee of the Whole
Report 03-018
CM: May 28, 2003

Bill No. 179

**CITY OF HAMILTON
BY-LAW NO. 03 - 179
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

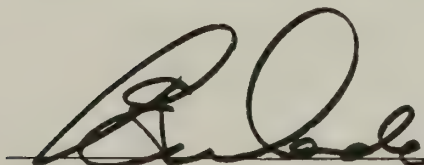
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "D" thereof the following item, namely:

Twenty Road	Eastbound and Westbound	Garth Street"
-------------	-------------------------	---------------
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of July, 2003



MAYOR



CLERK

CA4 ON HBL A08
B91
2003

Authority: Item 1, Hearings Sub-
Committee
Report 03-010 (PD03049)
CM: March 26, 2003

Bill No. 180

CITY OF HAMILTON

BY-LAW NO. 03-180

**To Amend Zoning By-law No. 6593
Respecting the Rear Portion of Lands Located at 1437, 1445, and 1457 Upper
Sherman Avenue**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 1 of Report 03-010 of the Hearing Sub Committee at its meeting held on the 26th day of March, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, Etc. - Holding) District,

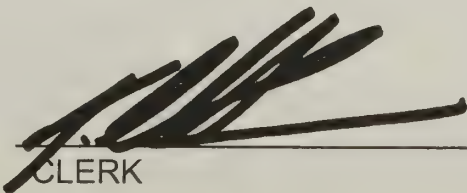
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
 - 1) the owner or applicant submitting and receiving draft plan approval of a plan of subdivision to the satisfaction of the Director of Development, Planning and Development Department.
 - (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" (Urban Protected Residential, Etc.) District provisions.
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1484.
4. Sheet No. E-38C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1484.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

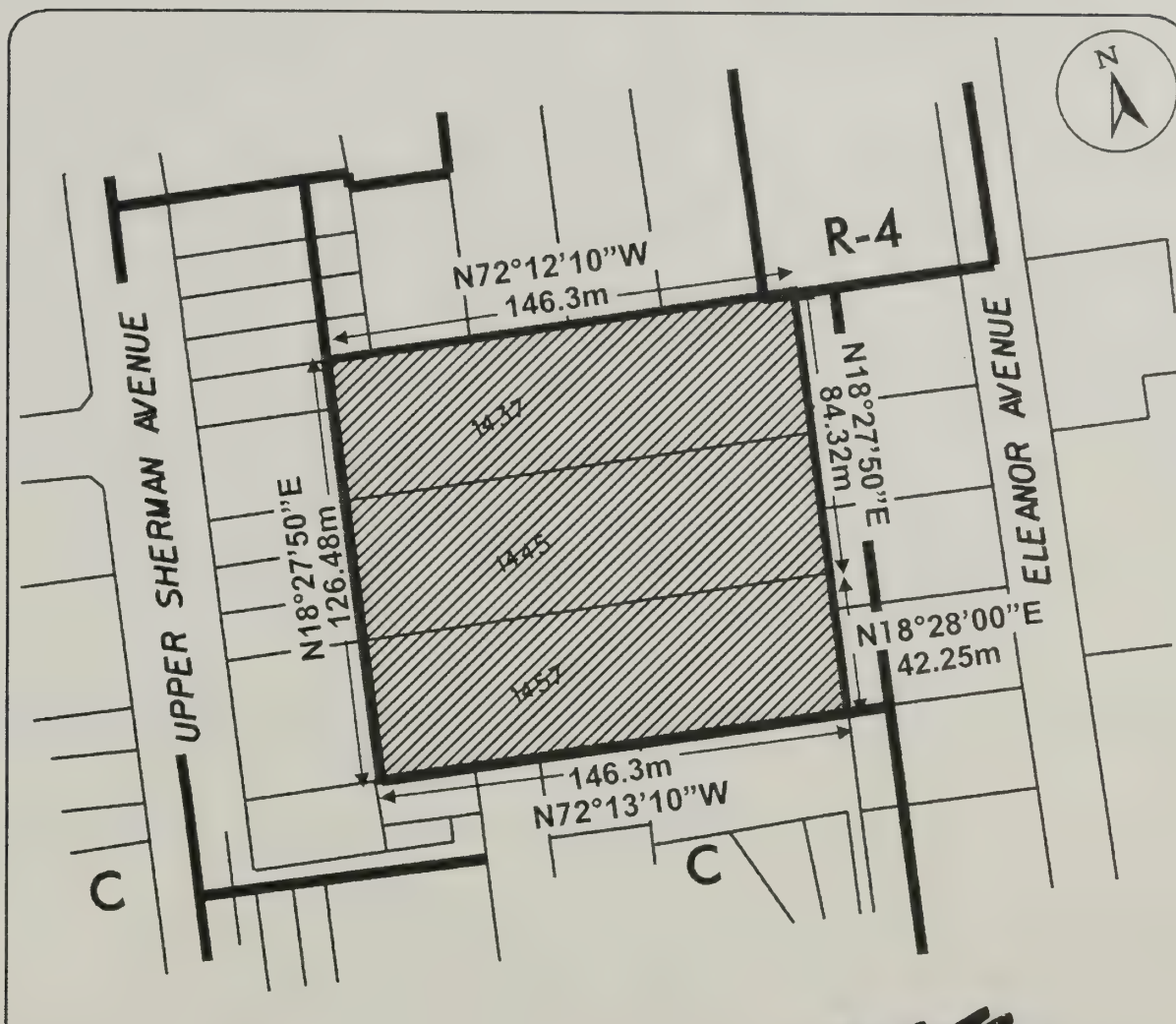
PASSED and ENACTED this 9th day of July , 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03-180

Passed the 9th day of July, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-180
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend



Subject Property
Change in zoning from "AA" (Agricultural)
District to "C"-H' (Urban Protected
Residential, Etc. - Holding) District for the
rear portion of lands located at 1437, 1445
and 1457 Upper Sherman Ave (Hamilton)

North



Scale
NOT TO SCALE

Date
May 28, 2003

Reference File No.
ZAC-02-89

Drawn By
L.M.M

CA 4 ON HBL A08
B91
2003

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 181

City of Hamilton

BY-LAW No. 03-181

Respecting:

**REMOVAL OF PART LOT CONTROL
WITHIN A PORTION OF
"FIFTY ROAD JOINT VENTURE - Phase 1", PLAN 62M-950**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the City of Stoney Creek;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating five (5) freehold street townhouse units and to allow for maintenance easements, shall not apply to the following designated land:

Block 160, Registered Plan Number 62M-950, Parts 1 to 11, inclusive, Plan 62R-16497, in the City of Hamilton (Stoney Creek).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on July 9th, 2005.

PASSED and ENACTED this 9th day of July, A.D. 2003.



MAYOR



CLERK

CITY OF HAMILTON

BY-LAW NO. 03-182

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 3 (Through Highways – No Parking Prohibitions in Effect) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Fiddler's Green Road	Southern limit of Wilson Street	Northern limit of Garner Road
Fiddler's Green Road	Southern limit of Garner Road	Northern limit of Carluke Road
Glancaster Road	Southern limit of Rymal Road	Northern limit of Carluke Road
Mohawk Road	Eastern limit of Golf Lnks Road	Former Ancaster-Hamilton Boundary

Old Mohawk Road	Western limit of Mohawk Road	Western end of Old Mohawk Road
Rousseaux Street	Eastern limit of Wilson Street	Western limit of Highway No. 403

and by adding to Section "B" thereof the following items, namely:

"King Street	Eastern limit of Main	Former Dundas-Flamborough
Main Street	Southern limit of King Street	Northern limit of Old Ancaster Road
Osler Drive	Northern limit of Old Ancaster Road	Former Dundas-Hamilton Boundary
South Street	Western limit of Osler Drive	Western limit of Ogilvie Street"

and by adding to Section "C" thereof the following items, namely:

"Carlisle Road	Eastern limit of Highway No. 6	Former Regional Bounary
Centre Road	Southern limit of Campbellville Road	Southern limit of Parkside Drive
4 th Concession Road	North-eastern limit of Highway No. 6	South-western limit of Hamilton Street
Freelton Road	South-eastern limits of Highway No. 6	North-western limits of Highway No. 6
Hamilton Street	Northern limit of Dundas Street East	Southern limit of Parkside Drive
Mill Street South	Southern limit of Dundas Street East	Former Flamborough-Burlington Boundary
Parkside Drive	North-eastern limit of Centre Road	North-eastern limit of Evans Road
Rockton Road	North-easterly limit of Highway No. 8	North-westerly limit of Highway No. 8

Sheffield Road	Northern limit of Highway No. 5	Southern limit of Highway No. 8
Sheffield Road	Northern limit of Highway No. 8	Southern limit of Safari Road"

and by adding to Section "D" thereof the following items, namely:

"Airport Road	Western limit of Highway No. 6	Eastern limit of
Blackheath Road	Southern limit of Highway No. 56	Former Regional Boundary
Homstead Drive	South-western limits of Highway No. 6	North-western limits of Highway No. 6
Kirk Road West	Western limit of Fletcher's Road	Western limit of Highway No. 56
Nebo Road	Former Glanbrook-Hamilton Boundary	Northern limit of White Church Road
Tyneside Road	Southern limit of White Church Road	Southern City Limits
Woodburn Road	Southern limit of Regional Road 20	Northern limit of Binbrook" Road

and by adding to Section "E" thereof the following items, namely:

"Barton Street	Eastern limit of Queen Street	Western limit of James Street
Cannon Street	Westerly limit of Sherman Avenue	Easterly limit of Wellington Street
Denlow Avenue	Eastern limit of Scenic Drive	Western limit of Garth Street
Limeridge Road	Garth Street	Mountain Brow Boulevard
Queen Street	Northern limit of York Street	Southern limit of Barton Street

Scenic Drive	Former Hamilton-Ancaster Boundary	Western limit of Garth Street
Wilson Street	Eastern limit of Wellington Street	Western limit of Sherman Avenue

and by adding to Section "F" thereof the following items, namely:

"Eleventh Road East	Southern limit of Ridge Road	Northern limit of Mud Street
Eleventh Road East	Southern limit of Mud Street	Southern City Boundary
Fruitland Road	Northern limit of Highway 8	Southern limit of Barton Street
Fruitland Road	Northern limit of Barton Street	Southern limit of the South Service Road
Glover Road	Northern limit of the South Service Road	Northern limit of Barton Street
Glover Road	Southern limit of Barton Street	Northern limit of Highway 8
King Street	Former Hamilton-Stoney Creek Boundary	Southern limit of Highway 8
Millen Avenue	Southern limit of the South Service Road	Northern limit of Barton Street
Millen Avenue	Southern limit of Barton Street	Northern limit of Highway 8
Mud Street	Former Hamilton-Stoney Creek Boundary	Western limit of Upper Centennial Parkway
Mud Street	Eastern limit of Upper Centennial Parkway	Eastern City Boundary
Queenston Road	Western limit of Centennial Parkway	Former Stoney Creek-Hamilton Boundary
Queenston Road	Eastern limit of Centennial Parkway	Western limit of Highway 8

Ridge Road	North-Eastern limits of Upper Centennial Parkway	South-Western limits of New Mountain Road
Tapleystown Road	Southern limit of Ridge Road	Northern limit of Mud Street
Tapleystown Road	Southern limit of Mud Street	Northern limit of Regional Road 20
Upper Mount Albion Road	Northern limit of Rymal Road	Southern limit of Mud Street"

and by deleting Section "G" in its entirety.

2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "F" thereof the following items, namely:

"Edgewater Drive	East, South & West	Inner curb of Crescent, end to end	6 hr	Anytime	Anyday
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Harbour Drive	South	Fruitland Road to Edgewater Drive (east intersection)	6 hr	Anytime	Anyday"
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3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"East 31 st	East	from 19.1m north of Fennell to 14.9m northerly	9:00 a.m. to 6:00 p.m. Monday to Friday
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Palmer	West	Mohawk to Dianne	Anytime
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Palmer	West	Michael to Behan	Anytime
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Palmer	East	from 37.2m north of the extended north curb line of Thorley to Reno	8:00 a.m. to 4:00 p.m." Monday to Friday
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and by deleting from Section "E" thereof the following items, namely:

"Barton	North	from 17.1m west of Milton to 7.5m westerly	Anytime
---------	-------	--	---------

Palmer	West	Mohawk to Southerly end	Anytime"
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and by adding to Section "G(II)" thereof the following item, namely:

"Barton North from 17.1m west of Milton to 7.5m westerly Anytime"

4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Birch East from 53.6m north of Cannon to 5.7m northerly Anytime"

Birch East from 94.5m north of Cannon to 6.1m northerly Anytime

Birch East from 111.9m south of Barton to 5.8m southerly Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Bold South commencing at a point 168 feet east of Locke to a point 22 feet easterly therefrom Anytime"

Grosvenor East commencing 27m north of Cannon and extending 6.4m northerly therefrom Anytime"

and by deleting Section "G" in its entirety.

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

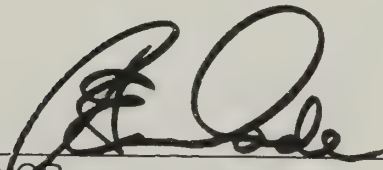
"Palmer West Dianne to Michael 8:00 a.m. to 4:00 p.m.
Monday to Friday"

Rosanne North Palmer to 45.1m westerly 8:00 a.m. to 4:00 p.m.
Monday to Friday"

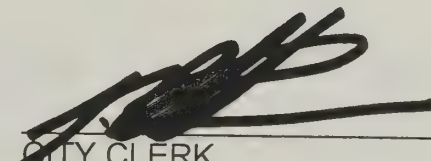
Rosanne South Palmer to 47.8m westerly 8:00 a.m. to 4:00 p.m."
Monday to Friday"

6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of July, 2003.



MAYOR



CITY CLERK

Authority: Item 3, Hearings Subcommittee
Report 03-022 (PD03147)
CM: June 25, 2003

Bill No. 183

CITY OF HAMILTON

BY-LAW NO. 03-183

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located on Eringate Drive, known as "Eringate Drive Extension"

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

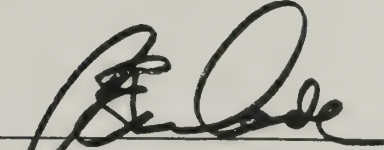
AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 16 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Single Residential-One "R1" Zone to the Single Residential-Three "R3" Zone, for lands located on Eringate Drive, know as "Eringate Drive Extension", the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 9th day of July, 2003.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 03 — 183

[Signature]
 Mayor

Passed the 9th day of July, 2003

Schedule "A"

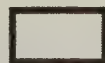
Map Forming Part of
 By-Law No. 03-183
 to Amend By-Law No. 3692-92



Hamilton

Planning and Development Department

Legend



Subject Property
 Eringate Drive Extension



North

Scale
 NOT TO SCALE

Date
 July 2, 2003

Reference File No.
 ZAC-03-11

Drawn By
 MC

Authority: Item 4, Committee of the Whole
Report 03-019 (PD03174)
CM: July 9, 2003

Bill No. 184

CITY OF HAMILTON

BY-LAW NO. 03-184

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 73 Oak Avenue (West Flamborough)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

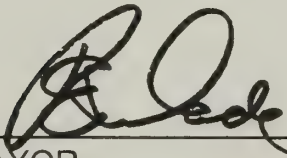
AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A-38" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing from the Settlement Residential Holding "R2-24 (H)" Zone to Settlement Residential "R2-24" Zone by removing the suffix "H" for those lands located at 73 Oak Avenue (formerly the Township of West Flamborough) more particularly shown on Schedule "A" which forms part of this By-law.

2. All other regulations of Section 7 – Settlement Residential “R2-24” Zone, as amended and the General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

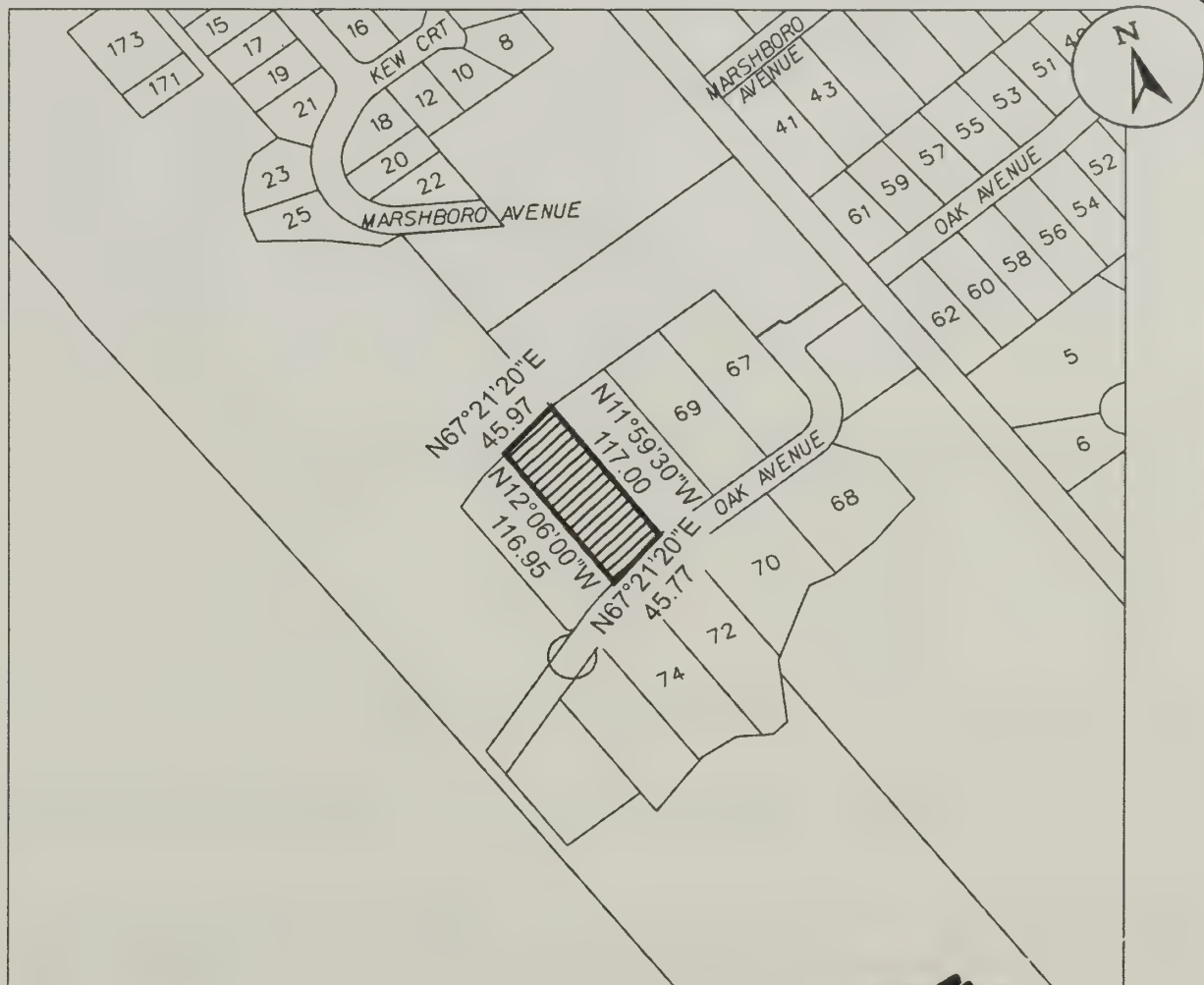
PASSED and ENACTED this 9th day of July, 2003 .



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03—184

Passed the 9th day of July, 2003

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-184
to Amend By-Law No. 90-145-Z



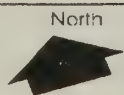
Hamilton

Planning and Development Department

Legend



Subject Property
To Remove the Holding "H"
Symbol from the Settlement
Residential "R2-24(H) Zone to
Settlement Residential "R2-24"
Zone



North

Scale
NOT TO SCALE

Date
June 9, 2003

Reference File No.
ZAR-03-47

Drawn By
LM

CA4 DN HBL A08
B91
2003

Authority: Item 8, Hearings Sub-Committee
Report: 03-025 (PD03167)
CM: July 9, 2003

Bill No. 185

CITY OF HAMILTON

BY-LAW NO. 03-185
To Adopt:

Official Plan Amendment No. 94 to the former Town of Ancaster Official Plan;

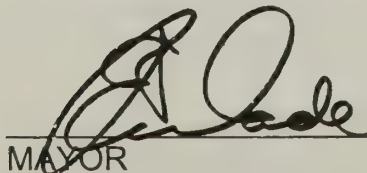
Respecting:

Part of 439 Shaver Road

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 94 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 9th day of July, 2003.


MAYOR


CLERK

Amendment No. 94

to the

Official Plan of the Former Town of Ancaster

The following text, Schedule "F", Specific Policy Areas, and Map No.1, Land Uses of the Shaver Neighbourhood, attached hereto, constitute Official Plan Amendment No. 94.

1.0 Purpose:

The purpose of the Amendment is to re-designate the subject lands from "Neighbourhood Park" to "High Density Residential" and to establish the subject lands as a Specific Policy Area.

2.0 Location:

The lands affected by this Amendment are located at Part of 439 Shaver Road, north of Garner Road, south of Wilson Street, east of Shaver Road, and west of Hamilton Drive.

3.0 Basis:

The basis for permitting this proposal is as follows:

- The proposal allows for the optimized use of the subject lands;
- The proposed development is compatible with future and existing land uses; and,
- The proposed Amendment is within the parameters of the Provincial Policy Statements and the policies of the former Region of Hamilton-Wentworth Official Plan.

4.0 Actual Changes:

1. That Schedule "F", Specific Policy Areas, be revised by adding the subject lands, located at Part of 439 Shaver Road, as "Specific Policy Area 32E", as shown on the attached Schedule "F" of this Amendment.
2. That Map 1, Land Uses of the Shaver Neighbourhood, be revised by re-designating the subject lands, located at Part of 439 Shaver Road, from "Neighbourhood Park" to "High Density Residential", as shown on the attached Map 1 of this Amendment.
3. That Section 5.10, Specific Policy Area No. 32, be revised by adding the following new Policy:

"5.10.10 Notwithstanding Policy 6.2.5.1(l) v), in addition to low rise apartments, stacked townhouses shall be permitted on the lands identified as Specific Policy Area 32E on Schedule "F". Further, the development of stacked townhouses shall be permitted at a minimum density of 40 units per hectare and shall not exceed a maximum density of 62 units per hectare."

4. That Policy 5.10.8, be deleted and replaced with the following so as to change the size of the neighbourhood park as follows:

"5.10.8 Within the Shaver Neighbourhood a sub-community park of approximately 10.0 hectares, a neighbourhood park of approximately 1.7 hectares, a public elementary school having a minimum lot area of 2.5 hectares and a separate elementary school having a minimum lot area of 2.5 hectares, shall be provided."

5. That Policy 6.2.5.6 (h), be deleted and replaced with the following new Policy:

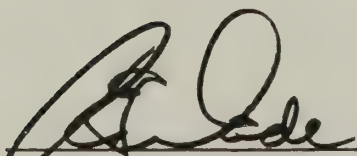
"(h) The westerly neighbourhood park shall be located in the Shaver Road area to serve the planned Medium Density Residential and High Density residential uses on the surrounding lands. The neighbourhood park shall be approximately 1.7 hectares in size and located adjacent to the Big Creek valleylands."

5.0 Implementation:

An implementing Zoning By-Law Amendment and the provisions of Section 7: Implementation of the former Town of Ancaster Official Plan will give effect to this Amendment.

This is Schedule "1" to By-law No. 03-185 passed on the 9th day of July, 2003.

**The
City of Hamilton**



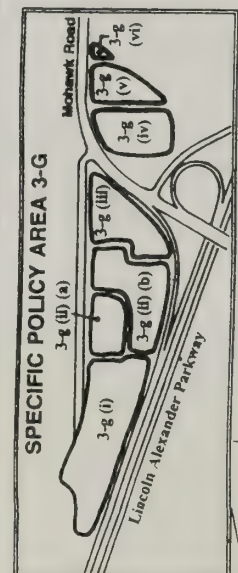
Mayor



City Clerk

Schedule F - Specific Policy Areas Amendment No. 94 To the Official Plan of the Former Town of Ancaster	
Add Subject lands as Specific Policy Area No. 32E	Reference File No.: OPA 94 (A)
Date: July 2003	Revised by: Kyle MacIntyre

TOWN OF DUNDAS

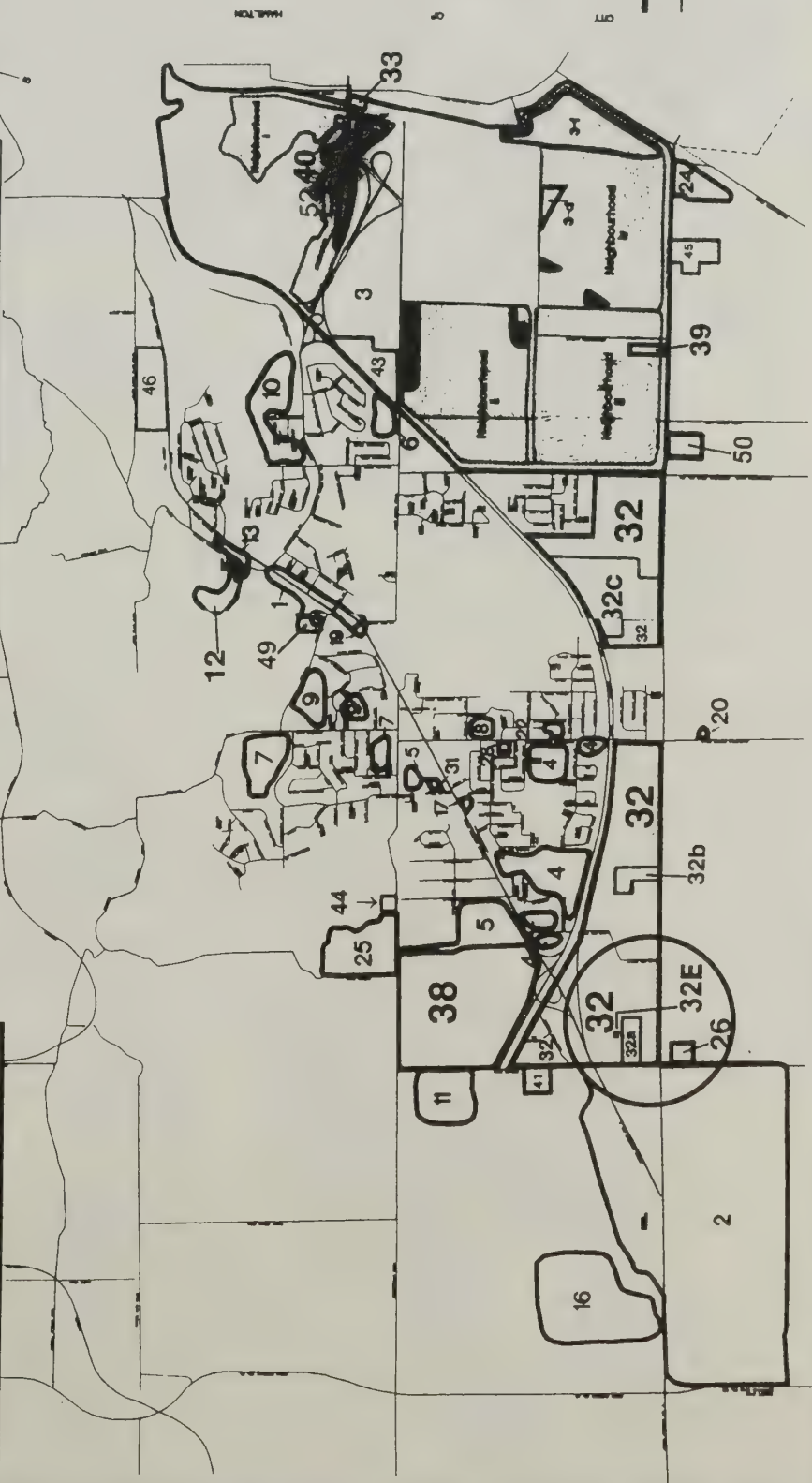


Legend
Specific Policy Areas

- Area 1 - refer to subsection 5.4
- Area 2 - refer to subsection 5.5
- Area 3 - refer to subsection 5.6

- 3-4 refer to Policy 5.6.10
- 3-4 refer to Policy 5.6.11
- 3-4 refer to Policy 5.6.12

- Area 4 - refer to Policy 5.7.1
- Area 5 - refer to Policy 5.7.2
- Area 6 - refer to Policy 5.7.3
- Area 7 - refer to Policy 5.7.4
- Area 8 - refer to Policy 5.7.5
- Area 9 - refer to Policy 5.7.6
- Area 10 - refer to Policy 5.7.7
- Area 11 - refer to Policy 5.7.8
- Area 12 - refer to Policy 5.7.9
- Area 13 - refer to Policy 5.7.10
- Area 14 - refer to Policy 5.7.11
- Area 15 - refer to Policy 5.7.12
- Area 16 - refer to Policy 5.7.13
- Area 17 - refer to Policy 5.7.14
- Area 18 - refer to Policy 5.7.15
- Area 19 - refer to Policy 5.7.16
- Area 20 - refer to Policy 5.7.17
- Area 21 - refer to Policy 5.7.18
- Area 22 - refer to Policy 5.7.19
- Area 23 - refer to Policy 5.7.20
- Area 24 - refer to Policy 5.7.21
- Area 25 - refer to Policy 5.7.22
- Area 26 - refer to Policy 5.7.23
- Area 27 - refer to Policy 5.7.24
- Area 28 - refer to Policy 5.7.25
- Area 29 - refer to Policy 5.7.26
- Area 30 - refer to Policy 5.7.27
- Area 31 - refer to Policy 5.7.28
- Area 32 - refer to Policy 5.7.29
- Area 33 - refer to Policy 5.7.30
- Area 34 - refer to Policy 5.7.31
- Area 35 - refer to Policy 5.7.32
- Area 36 - refer to Policy 5.7.33
- Area 37 - refer to Policy 5.7.34
- Area 38 - refer to Policy 5.7.35
- Area 39 - refer to Policy 5.7.36
- Area 40 - refer to Policy 5.7.37
- Area 41 - refer to Policy 5.7.38
- Area 42 - refer to Policy 5.7.39
- Area 43 - refer to Policy 5.7.40
- Area 44 - refer to Policy 5.7.41
- Area 45 - refer to Policy 5.7.42
- Area 46 - refer to Policy 5.7.43
- Area 47 - refer to Policy 5.7.44
- Area 48 - refer to Policy 5.7.45
- Area 49 - refer to Policy 5.7.46
- Area 50 - refer to Policy 5.7.47
- Area 51 - refer to Policy 5.7.48
- Area 52 - refer to Policy 5.7.49



Policy Area Boundaries
Neighbourhood Area Boundaries

SCHEDULE F
TO THE OFFICIAL PLAN
OF THE TOWN OF ANCASTER

REVISED 12/05/02

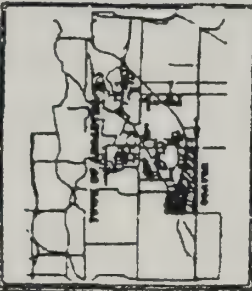
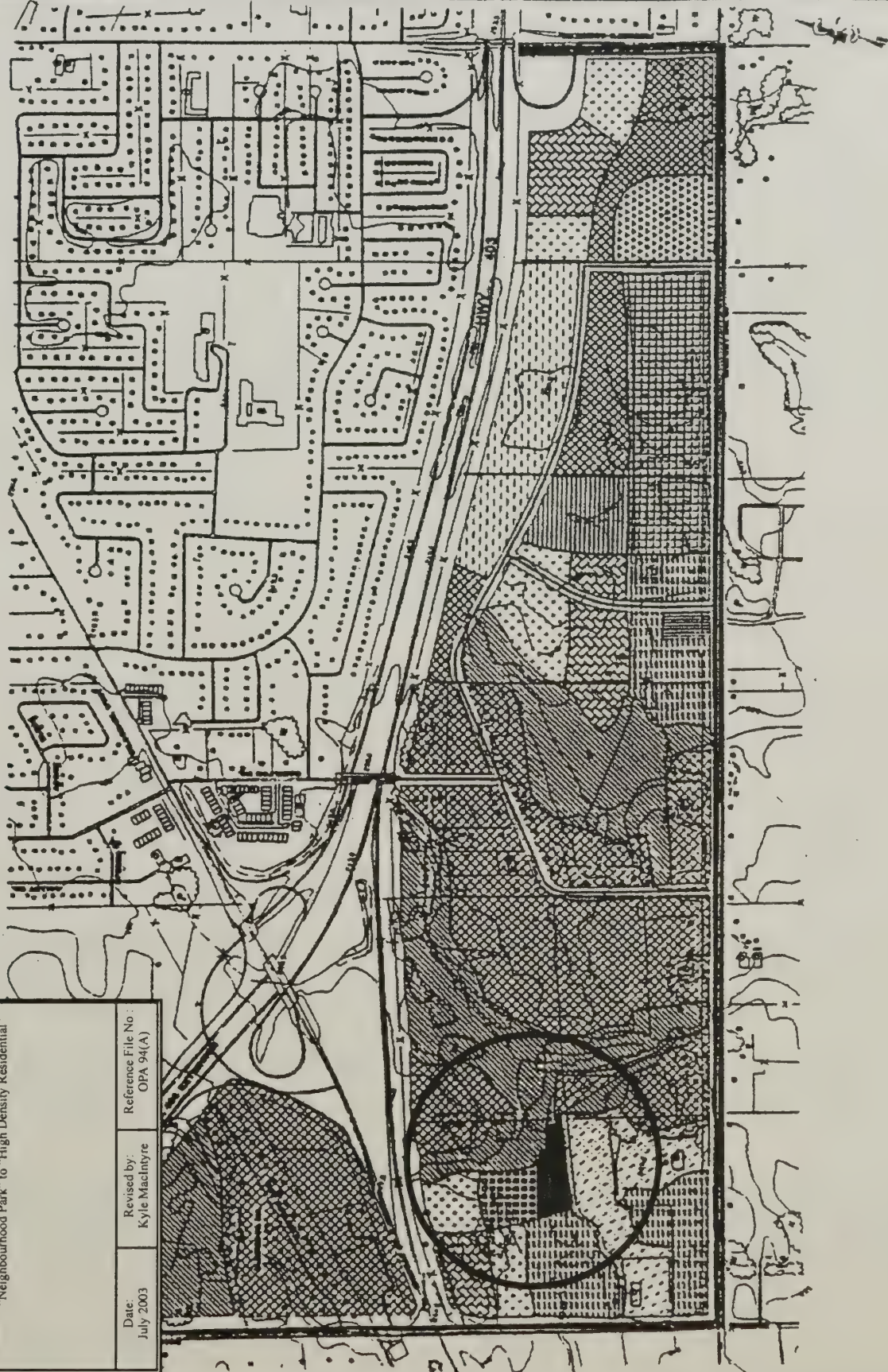
Map 1 - Land Uses Shaver Neighbourhood
Amendment No. 94
to the Official Plan of the Former Town of Ancaster

Redesignate the Subject lands from
"Neighbourhood Park" to "High Density Residential"

Date:
July 2003

Revised by:
Kyle MacIntyre

Reference File No :
OPA 94(A)



KEY PLAN

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL 1
- MEDIUM DENSITY RESIDENTIAL 2
- MEDIUM DENSITY RESIDENTIAL 3
- MEDIUM DENSITY RESIDENTIAL 4
- SECONDARY SCHOOL
- SENIOR SECONDARY SCHOOL
- COMMERCIAL
- INSTITUTIONAL
- RECREATION
- INDUSTRIAL
- OTHER SPACES AND CONSERVATION
- ARTERIAL ROAD
- COLLECTOR ROAD
- PRINCIPAL LOCAL ROAD
- OTHER SPACES

DATE
SCALE 1:10,000

TOWN OF
ANCASTER

SHAVEN
NEIGHBOURHOOD

MAP 1
LAND USES

CAY ONHBL A08
B91
2003

Authority: Item 8, Hearings Sub-Committee
Report 03-025 (PD03167)
CM: July 9, 2003

Bill No. 186

CITY OF HAMILTON

BY-LAW NO. 03-186

To Amend:

Zoning By-law No. 87-57 (Ancaster),

Respecting:

LANDS LOCATED AT 439 SHAVER ROAD

Owned by Marz Homes
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), as amended by Official Plan Amendment No. 94, but not yet approved in accordance with the provisions of the

Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map 1 to Schedule "B" (Urban Area) of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands that are known municipally as 439 Shaver Road from the Agricultural "A-216" Zone to the Residential Multiple "RM5-499" Zone located within Part of Lot 37, Concession 3, (Former Town of Ancaster) more particularly shown on Schedule "A" which forms part of this By-law.
2. Section 34.2: Exceptions of Zoning By-law No. 87-57 (Ancaster), is hereby further amended by adding the following new subsection:

RM5-499 Permitted Uses

Notwithstanding Section 18.1, a maximum of thirty (30) multi-plex dwelling units (stacked townhouse units) shall be permitted.

"Notwithstanding the definition for "Multi-Plex Dwelling" provided in Subsection 3.46, a Multi-Plex Dwelling Stacked Townhouse shall mean a building divided vertically into a minimum of two (2) and a maximum of eight (8) side-by-side and/or back-to-back units, which may also be divided horizontally to a maximum of two (2) units in height, for a maximum total of sixteen (16) units, with each unit being separated by two or more common walls and each having private entrances to the outside."

Regulations

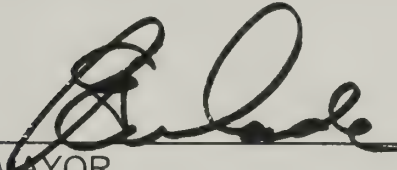
That the provisions of Section 18.2 shall apply to development within the Residential Multiple "RM5-499" Zone except for the following special provisions:

- | | |
|---------------------------|--|
| (1) Minimum Side Yard | Notwithstanding Section 18.2(g), the minimum side yard requirement shall be 3 metres. |
| (2) Setback for Dwellings | The minimum setback for a multi-plex dwelling unit from an internal roadway shall be 3 metres. |

- | | |
|----------------------------------|--|
| (3) Minimum Landscaping | Notwithstanding Section 18.2(j), the minimum landscaping requirement shall be 30%. |
| (4) Planting Strip | Notwithstanding Section 18.2(k), a planting strip shall not be required. |
| (5) Parking | Notwithstanding Section 18.2 (l), 2 spaces per unit, plus 0.3 spaces per unit for visitors shall be required, where 25% of the required parking spaces for multi-plex dwellings (excluding required visitors parking) shall be within an enclosed building or underground. |
| (6) Minimum Privacy Areas | (i) 35 square metres for ground floor units;
(ii) 12 square metre balconies for second floor units. |
| (7) Building Separation | A multi-plex dwelling shall be located no closer than 10.5 metres from an apartment building on the same lot. |
| (8) Fencing | A minimum 1.8 metre high chain link fence shall be required along the side and rear lot lines. |
| (9) Accessory Parking Structures | Notwithstanding Section 7.18(iv), the maximum ground floor for any accessory building for parking purposes shall be 240 square metres. |

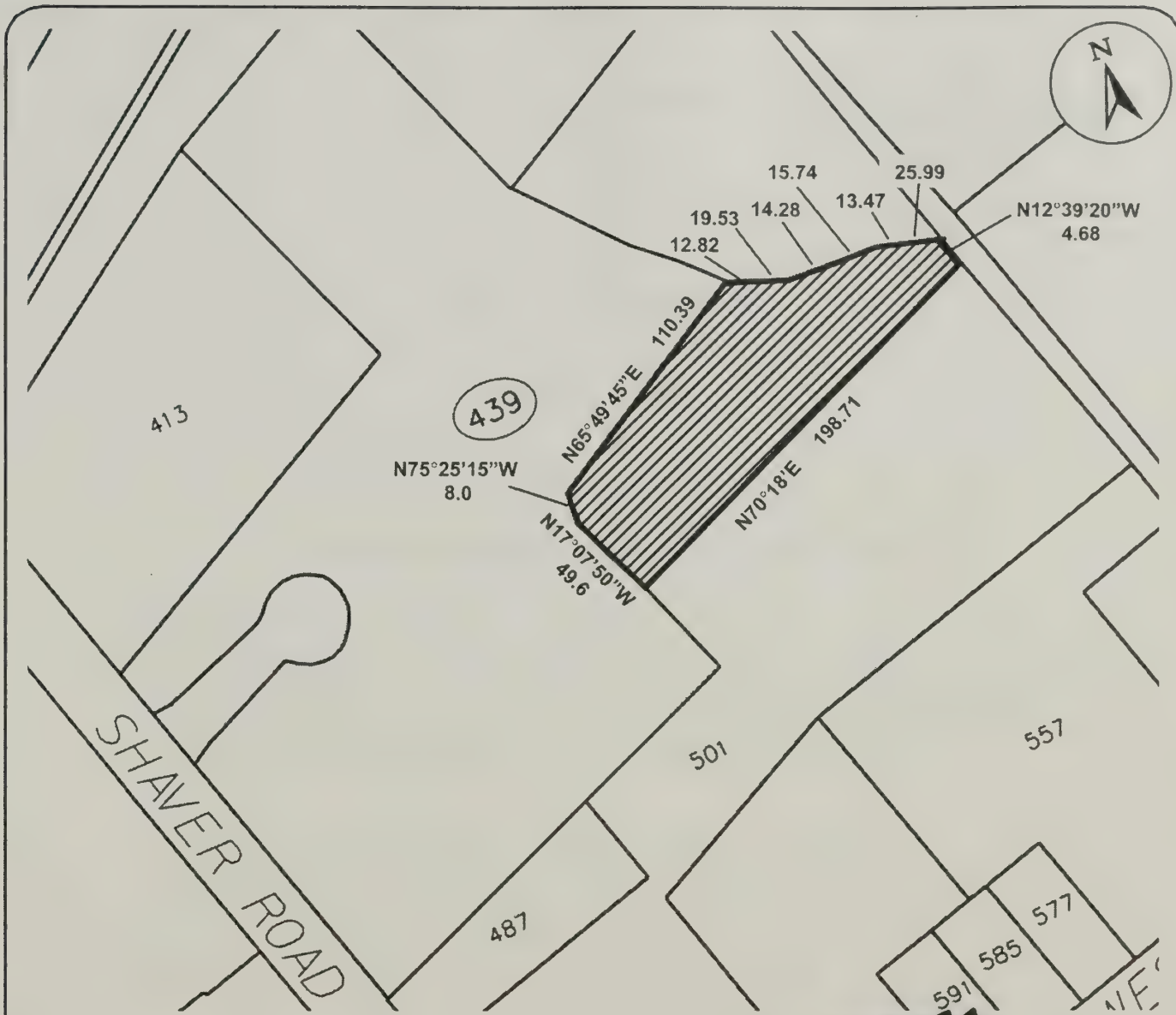
3. All other regulations of Section 7, General Provisions of Zoning By-law 87-57 (Ancaster) shall continue to apply.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 9th day of July, 2003.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—186

Passed the 9th day of July, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-186
to Amend By-Law No. 87-57



Hamilton

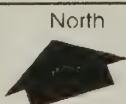
Planning and Development Department

Legend



Subject Property

Change in Zoning from Agricultural "A-216"
Zone to Residential Multiple "RM5-499"
Zone to permit 30 stacked townhouse units



North

Scale
NOT TO SCALE

Date
July 4, 2003

Reference File No.
ZAC-03-16 / OPA-03-02

Drawn By
MC

Authority: Item 5 Hearings Sub-Committee
Report 03-020 (PD 02001(b))
CM: Date June 11, 2003

Bill No. 187

CITY OF HAMILTON

BY-LAW NO. 03-187

To Designate the

Hamilton Community Improvement Project Area

WHEREAS the lands which are subject of this By-law were, as of January 1st, 2001, placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O.1999, Chapter 14, Schedule C) – and the authority of the such new municipality includes all the authority at law of a local municipality;

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former local municipalities, The Corporation of the City of Stoney Creek; The Corporation of the Township of Glanbrook; The Corporation of the City of Hamilton; The Corporation of the Town of Ancaster; The Corporation of the Town of Dundas; and, The Corporation of the Town of Flamborough;

AND WHEREAS the City of Hamilton, as the successor municipality is entitled to the benefit of all By-laws of each of the former municipalities and is entitled to amend such By-laws;

AND WHEREAS Part IV, of the Planning Act, (R.S.O. 1990 Chapter P.13) titled "Community Improvement" provides in part:

"section 28(2) Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law designate the whole or any part of an area covered by such an official plan as a community improvement project area";

AND WHEREAS the Planning Act defines a "community improvement project area" as "an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation,

overcrowding, faulty arrangement, unsuitability of buildings or for any other reason." [section 28(1)]

AND WHEREAS attached hereto and forming part of this by-law as Schedule "A" is a map of a selected area of the municipality;

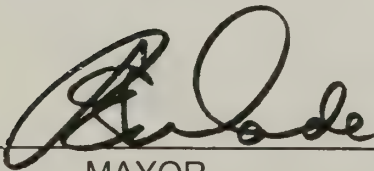
AND WHEREAS the Official Plan of the former Region of Hamilton-Wentworth was amended by By-law No. 03-041 to include provisions respecting the designation as a community improvement project area of portions of the City of Hamilton, including the lands illustrated in Schedule "A" to this By-law;

AND WHEREAS the Council of the City of Hamilton considers it appropriate to designate the said portion of the municipality illustrated in Schedule "A", as a "community improvement project area", in accordance with Part IV (Community Improvement) of the Planning Act, [section 28(2)] and, Council authorized this By-law to designate a community improvement project area as hereinafter provided in this By-law.

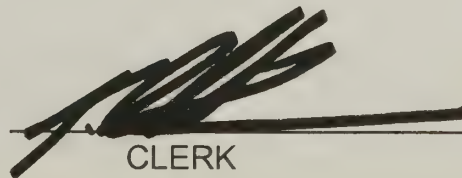
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The geographical portion of the City of Hamilton illustrated on Schedule "A" and forming part of this By-law, is hereby designated as the "Hamilton Community Improvement Project Area".
2. This By-law shall come into force and effect on the date of enactment.
3. That By-law 03-153 be repealed.

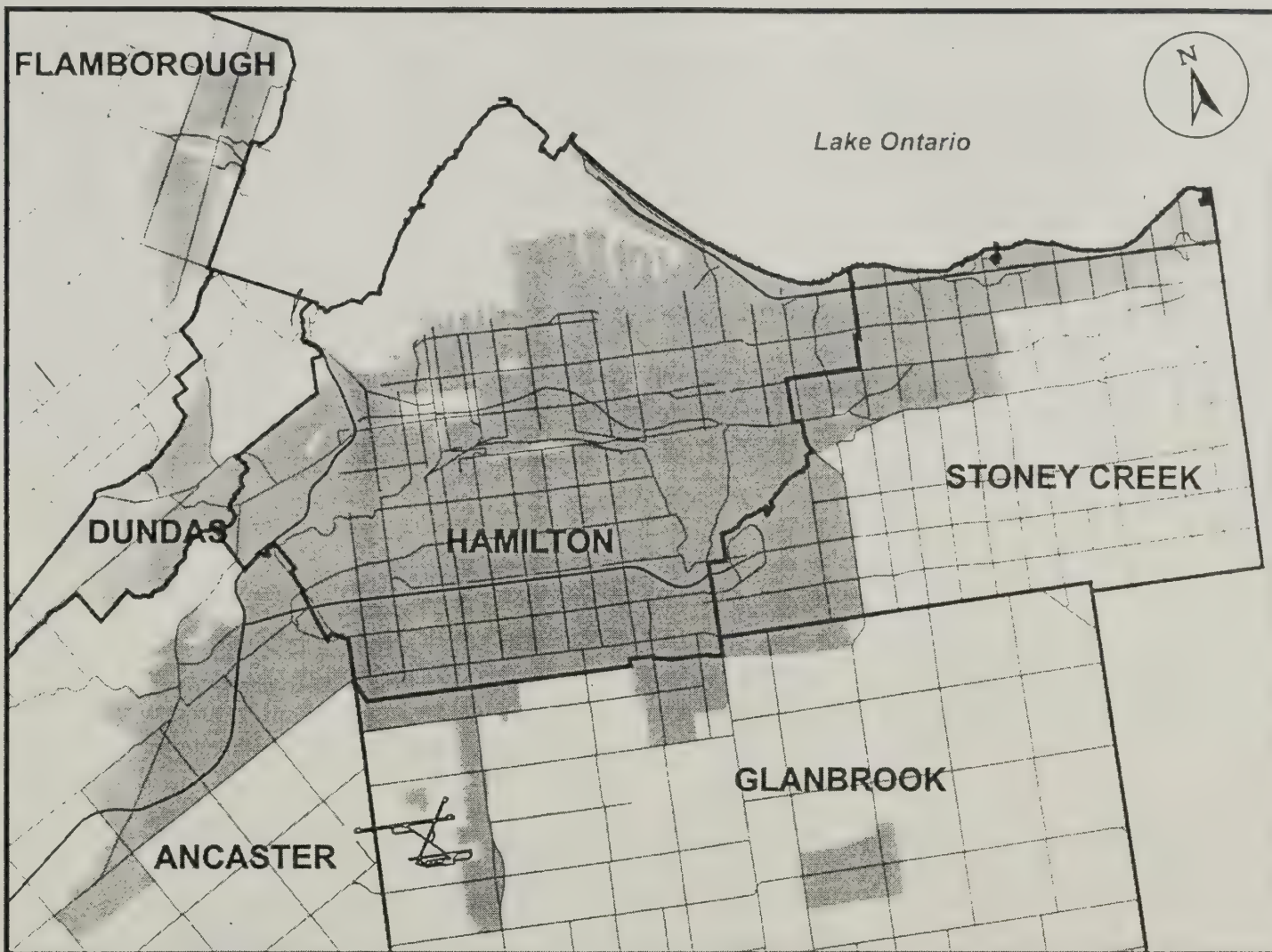
PASSED and ENACTED this 9th day of July, 2003.



MAYOR



CLERK



PLANNING AND DEVELOPMENT DEPARTMENT
***Hamilton Community Improvement
 Project Area***



Hamilton

Filename/number
 HCIPA_2003_revised

Date
 May 1, 2003

Technician:
 CL

Map Not to Scale

Schedule "A"



**Hamilton Community Improvement
 Project Area**

Authority: Item 5, Hearings Sub-Committee
Report 03-020 (PD 02001(b))
CM: Date June 11, 2003

Bill No. 188

CITY OF HAMILTON

BY-LAW NO. 03-188

To Adopt the

Hamilton Community Improvement Plan

WHEREAS By-law No. 03-187, passed on the 9th day of July, 2003, designated the area shown on Schedule "A" thereto as the Hamilton Community Improvement Project Area (hereinafter the said Area may be referred to as the "Hamilton CIP Area");

AND WHEREAS the Planning Act, (R.S.O. 1990 Chapter P.13, section 28) states that when a By-law has been passed to designate a community improvement project area, the council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

AND WHEREAS under the Planning Act (section 28) "community improvement" means the "planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, reconstruction and rehabilitation, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary";

AND WHEREAS the Council of the City of Hamilton deems it appropriate to adopt a community improvement plan for the Hamilton CIP Area in accordance with the said Act, for purposes of the community improvement of the designated Hamilton CIP Area, through municipal initiatives set out in a community improvement plan;

AND WHEREAS Council, by its Hearings Sub-Committee, held a public meeting on June 4th, 2003 to discuss and receive public input regarding adoption of a community improvement plan and has taken other required steps, prior to the enactment of this By-law to adopt a community improvement plan

for the Hamilton Community Improvement Project Area, as required by the Planning Act;

AND WHEREAS the Planning Act (section 28) states:

(7) For the purpose of carrying out the community improvement plan, the municipality may make grants or loans to the registered owners or assessed owners of lands and buildings within the community improvement project area to pay the whole or any cost of rehabilitating such lands and buildings in conformity with the community improvement plan.

AND WHEREAS the Planning Act states that the approval of the Minister of Municipal Affairs is required,

- (a) to a By-law adopting a Community Improvement Plan or an amendment thereto [section 28(4)]; and,
- (b) to the City's exercise of any power or authority under subsections (6) or (7) of section 28 of the Community Improvement Part IV of the Planning Act for the purpose of carrying out a community improvement plan, where the exercise of such power or authority would be bonuses prohibited under subsection 11 I(1) of the Municipal Act [subsection 28(8)].

AND WHEREAS the "Hamilton Convert-to-Rent Program" is attached hereto as Schedule "A" and forms part of this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "Hamilton Convert-to-Rent Program" attached hereto as Schedule "A" and forming part of this By-law is adopted as the "Hamilton Community Improvement Plan";
2. The City Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing,
 - (a) for approval, as required by subsection 28(4) of the Planning Act, to this By-law adopting the said Community Improvement Plan;
 - (b) for approval, as required by subsection 28(8) of the community improvement provisions of the Planning Act, to be granted to the City by the Minister, to permit the City to offer grants as provided for in the said Community Improvement Plan adopted by this By-

law, which grants would otherwise be bonuses prohibited by subsection 11 I(1) of the Municipal Act.

3. This By-law shall come into force and effect on the date of the approval of the Minister of Municipal Affairs and Housing is valid and binding.
4. That By-law 03-154 be repealed.

PASSED and ENACTED this 9th day of July, 2003.



MAYOR



CLERK

The Hamilton Community Improvement Plan

May, 2003

The Hamilton Community Improvement Plan for the Hamilton Community Improvement Project Area

Purpose:

This Community Improvement Plan is intended to apply to the Hamilton Community Improvement Project Area. The geographic area of the Hamilton Community Improvement Project Area shall be delineated as follows:

- the geographic area designated as “Urban Area” in the Hamilton-Wentworth Official Plan, as may be subsequently amended; however,
- excluding the geographic area encompassed by the following as designated by by-law and as may be subsequently amended:
 - the Downtown Hamilton Community Improvement Project Area;
 - the Main Street West Business Improvement Area;
 - the Westdale Business Improvement Area;
 - the Concession Street Business Improvement Area;
 - the Barton Village Business Improvement Area;
 - the Ottawa Street Business Improvement Area;
 - the Dundas Business Improvement Area;
 - the Waterdown Business Improvement Area; and,
 - the Stoney Creek Business Improvement Area.

The current delineation of this geographic area is shown in Schedule “A”, and may be subsequently amended as noted above.

Introduction:

More rental housing is needed in the City of Hamilton. Additional rental housing through conversions contributes to neighbourhood revitalization through an increased population base, sustaining local commercial businesses, reusing vacant building space and making better use of the existing built infrastructure.

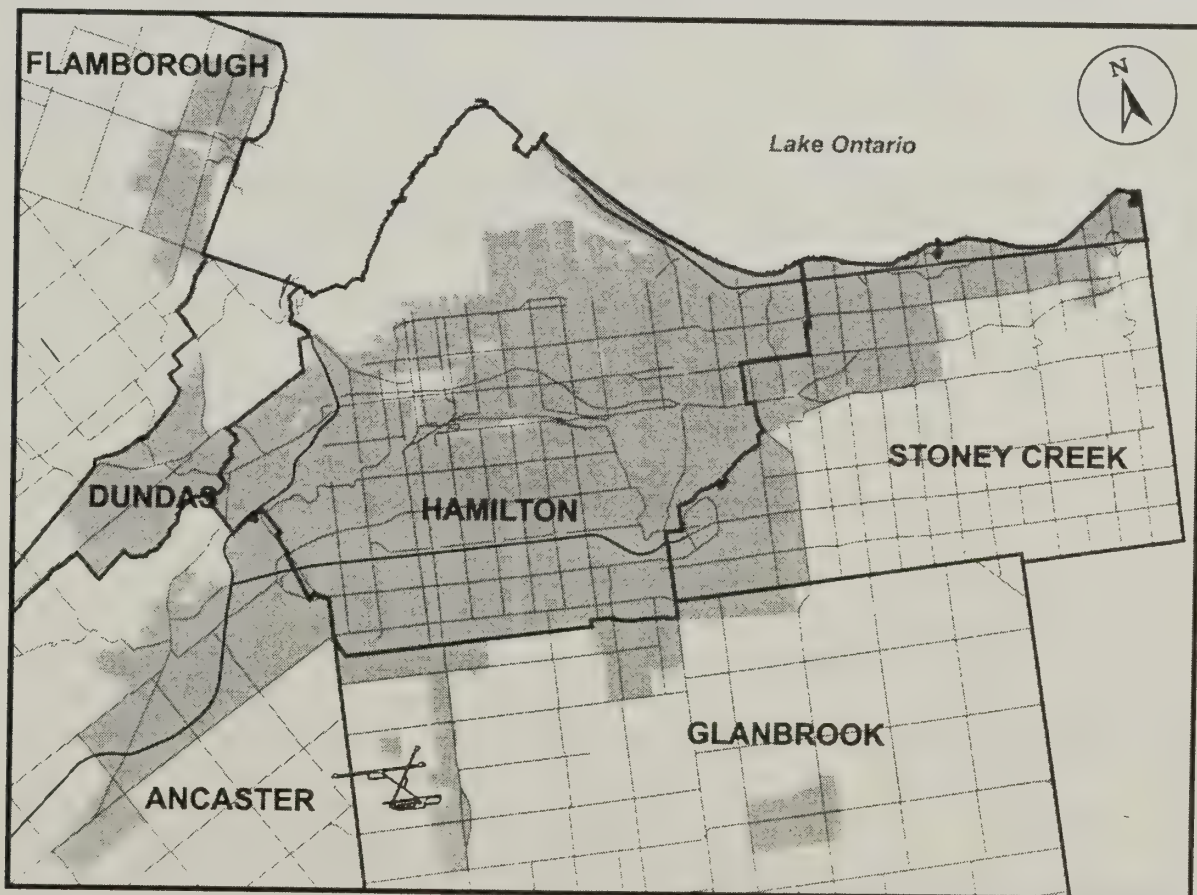
This can be accomplished in two ways:

- 1) by encouraging the conversion of vacant/unused second and third floor space above street-front commercial establishments to self-contained rental residential units; and,
- 2) by encouraging the redevelopment/conversion of vacant and/or underutilized residential and non-residential structures to create new rental residential units.

To increase the supply of rental housing and to encourage property owners to create rental residential units, financial assistance in the form of a grant or loan is available from the municipality under this Hamilton Community Improvement

Area Plan through the "Hamilton Convert-to-Rent Program". The provisions of the Hamilton Convert-to-Rent Program are attached as Schedule "B".

This program demonstrates a commitment by the City of Hamilton to make better use of the existing urban infrastructure, facilitate the conversion of the vacant and/or underutilized existing building stock to a more a productive use, and promotes the development of new rental residential housing supply throughout the Urban Area of the City of Hamilton.



PLANNING AND DEVELOPMENT DEPARTMENT
***Hamilton Community Improvement
 Project Area***



Hamilton

Filename/number
 HCIPA_2003_revised

Date

May 1, 2003

Technician:

CL

Map Not to Scale

Schedule "A"

**Hamilton Community Improvement
 Project Area**

Schedule “B” to the Hamilton Community Improvement Plan

The Hamilton Convert-to-Rent Program

Program Description:

The goal of the Hamilton-Convert-to-Rent Program is to increase the supply of rental housing by providing limited funding to property owners for the conversion of non-residential space into rental residential. The City contribution will be in the form of a grant or loan payable under appropriate terms and conditions as set by the City of Hamilton.

Program Terms:

- All proposed construction/renovation activity must comply with respective municipal official plans, zoning-by-law regulations and appropriate Building Code requirements.
- All applicants must be the property owner of the respective building/structure.
- Applications for grant or loan monies must be submitted and approved by City Council prior to the commencement of actual construction/renovation.
- A City Building Inspector will undertake a pre-inspection of the proposed construction/renovation activity.
- All outstanding property taxes must be paid in full prior to the release of any grant or loan monies.
- The grant or loan will be a minimum \$4,000 per new self-contained rental residential unit to a maximum of \$100,000 per deeded property (25 units).
- Grant or loan monies are available only to new rental residential units with a minimum size of 525 square feet/48.77 m².
- Applicants must provide “before” and “after” pictures as part of the application and processing of the grant or loan monies.
- From the time of Council approval of the grant or loan application, the applicant has 18 months to complete the project.
- In the event of a loan, it will be interest-free with an appropriate term, payment and re-payment conditions as established by the City of Hamilton.

Eligible Buildings/Structures:

- Vacant/unused and uninhabitable space on floors above street-front commercial establishments – conversion of ground floor commercial space is not eligible.
- Vacant and/or underutilized existing non-residential structures.
- Existing residential apartment buildings containing 6 or more units where non-residential space can be converted to new rental residential units.

An administrative fee of 3.0% of the grants or loans disbursed shall be levied against the reserve fund and obtained on a charge-back basis to recover administrative costs.

CAH ONHBL A08
B91
2003

Authority:

Item 4, Hearings Sub-Committee
Report 03-025 (PD03165)
CM: July 9, 2003

Bill No. 189

CITY OF HAMILTON

BY-LAW NO. 03 -189

To Adopt:

Official Plan Amendment No. 41 to the Official Plan for the former Township of Glanbrook;

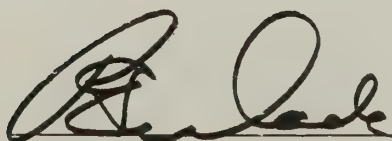
Respecting:

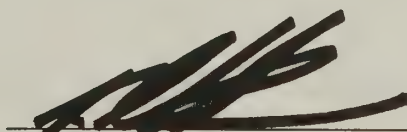
Part of Lot 5, Block 3, Concession 3 (Township of Glanbrook), Village of Binbrook

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 41 to the Official Plan of the former Township of Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 9th day of July, 2003


MAYOR


CLERK

Amendment No. 41
to the
Official Plan of the Former Township of Glanbrook

The following mapping, Schedule "B" Land Use Plan, Binbrook Village Secondary Plan, attached hereto, constitutes Official Plan Amendment No. 41.

Purpose:

The purpose of this Amendment is to revise the Binbrook Village Secondary Plan by redesignating the subject lands, Part of Lot 5, Block 3, Concession 3, Township of Glanbrook "Special Residential" to "Low Density Residential" to permit the development of single detached dwellings.

Location:

The lands affected by this Amendment are known as Part of Lot 5, Block 3, Concession 3 in the Township of Glanbrook in the northwest quadrant of the Village of Binbrook.

Basis:

The basis for permitting the proposed land use redesignation in the Binbrook Village Secondary Plan, is as follows:

- Medium density residential in this location supports the policies of the Provincial Policy Statement.
- The redesignation supports the general intent of the Glanbrook Official Plan and the Binbrook Area Secondary Plan.
- The proposed development of single detached dwellings is an appropriate use for the land and is consistent with, and complementary to, existing and planned development in the Binbrook Village Planning Area.
- The loss of density or range of housing types resulting from the redesignation is not significant.

Actual Changes:

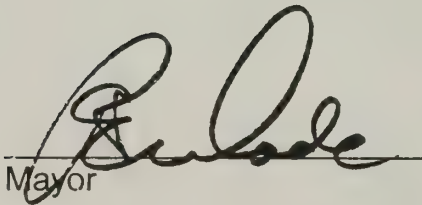
- 1) That Schedule "B" - Land Use Plan, Binbrook Village Secondary Plan be revised by redesignating the subject lands, the area shown as Part of Lot 5, Block 3, Concession 3 in the Township of Glanbrook, from "Special Residential" to "Low Density Residential", as shown on the attached Schedule "B", of this Amendment.

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-189, passed on the 9th day of July, 2003.

The City of Hamilton


Mayor

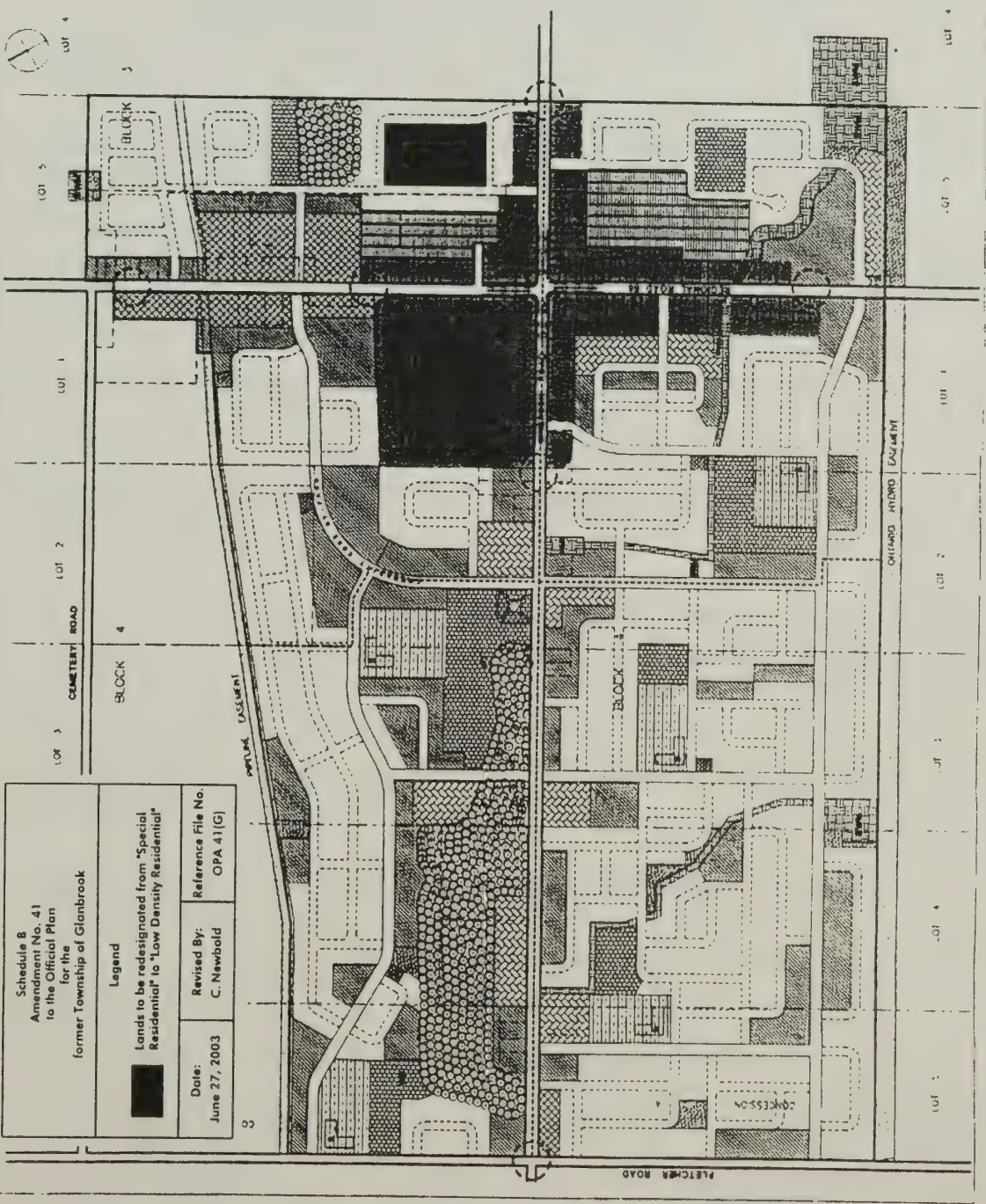

City Clerk

BINBROOK VILLAGE SECONDARY PLAN

SCHEDULE B LAND USE PLAN

LEGEND

- RESIDENTIAL USES**
- LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - SPECIAL RESIDENTIAL
 - INSTITUTIONAL
 - EDUCATIONAL SCHOOLS
 - COMMERCIAL
 - COMMUNITY CORE
 - GENERAL COMMERCIAL
 - CORNER RETAIL
 - OPEN SPACE
 - ACTIVE PARKLAND
 - PASSIVE PARKLAND
 - WOODLANDS
 - STORM WATER MANAGEMENT FACILITIES
 - STORM WATER MANAGEMENT FACILITY
 - DRAINAGE CHANNEL / PUBLIC WALKWAY
 - NON-RESIDENTIAL
 - ARTERIAL
 - COLLECTOR
 - LOCAL
 - SPECIAL FEATURES
 - SCHOOL
 - WATER TOWER
 - WATER RESERVOIR
 - POST OFFICE
 - LIBRARY
 - POST OFFICE
 - VILLAGE SQUARE
 - EXISTING PROPERTY LINES
 - BINBROOK VILLAGE BOUNDARY
 - NEIGHBOURHOOD BOUNDARIES
 - GATEWAY ENTRANCES
 - PIPELINE EASEMENT



Schedule B Amendment No. 41 to the Official Plan for the former Township of Glanbrook	
Legend Lands to be redesignated from "Special Residential" to "Low Density Residential"	
Date: June 27, 2003	Revised By: C. Newbold
	Reference File No. OPA 41(G)

DATE	NOV 1998	SCALE	N.T.S.
DRAWN BY	L.C.		
This plan was prepared by the author and is not to be used for any other purpose without the written consent of the author.			

CAY ONHBL A08
B91
2003

Authority: Item 4, Hearings Sub-Committee
Report 03-025 (PD03165)
CM: July 9, 2003

Bill No. 190

CITY OF HAMILTON

BY-LAW NO. 03-190

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at Part of Lot 5, Block 3, Concession 3

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exceptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

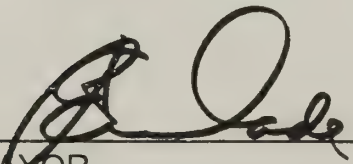
AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "H", appended to and forming part of By-law No. 464 (Glanbrook) is amended as follows:
 - (a) by changing from the site-specific Residential "R3-163" Zone to the site-specific Residential "R4-164" Zone, the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A"; and,

- (b) by changing from the site-specific Residential Multiple "RM3-165" Zone to the site-specific Residential "R4-165" Zone, the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by deleting special provision "RM3-165" in its entirety.
3. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding a new special provision, "R4-165", to include the following:
- "R4-165** Notwithstanding Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING) of SECTION 16: RESIDENTIAL "R4" ZONE, the minimum interior lot area shall be 380 square metres and the minimum corner lot area shall be 490 square metres."
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

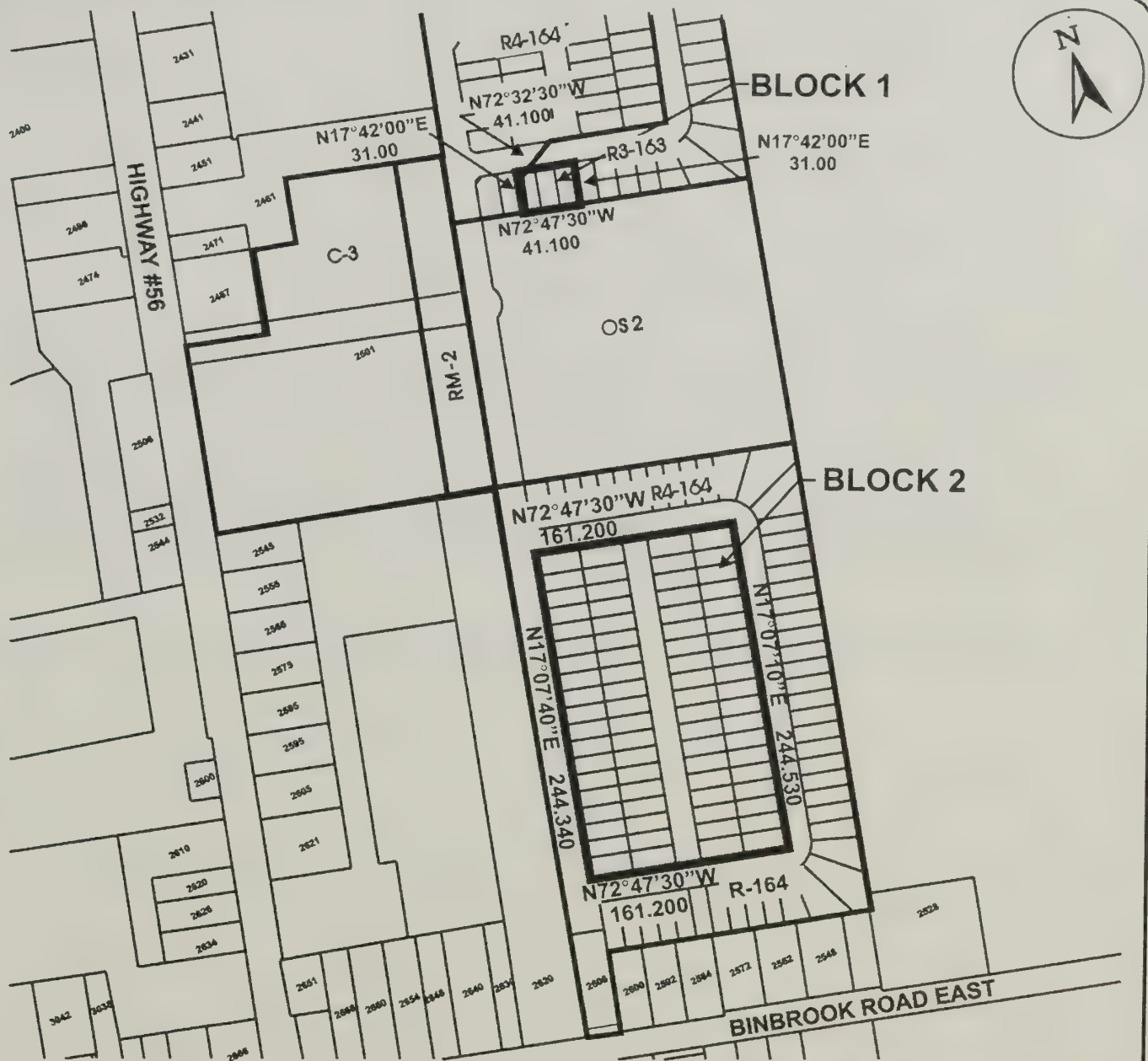
PASSED and ENACTED this 9th day of July, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03 — 190

Passed the 9th day of July, 2003

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 03-190
 to Amend By-Law No. 464



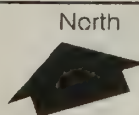
Hamilton

Planning and Development Department

Legend

BLOCK 1 - To be rezoned from the Site-Specific Residential "R3-163" Zone to the Site-Specific Residential "R4-164" Zone

BLOCK 2 - To be rezoned from the Site-Specific Residential Multiple "RM3-165" Zone to the proposed Site-Specific Residential "R4-165" Zone



North

Scale
 NOT TO SCALE

Date
 July 07, 2003

Reference File No.
 ZAC-03-22

Drawn By
 AF

CAY ONHBL A08

B91

2003

Authority: Item 5, Committee of the Whole
Report 03-019 (PW03081)
CM: July 9, 2003

Bill No. 191

**CITY OF HAMILTON
BY-LAW NO. 03- 191
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

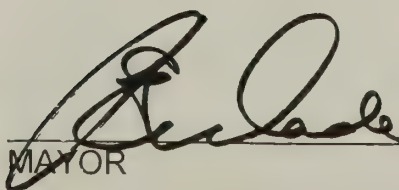
AND WHEREAS it is necessary to amend By-law No. 01-215;

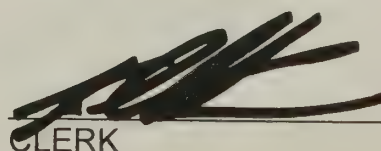
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Benziger	Westbound	Napa
Benziger	Northbound	Sonoma
Napa	Northbound	Sonoma"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 9th day of July, 2003


MAYOR


CLERK

CAY ONHBL A08

B91
2003

Authority: Item 6, Committee of the Whole
Report 03-019 (PW03076)
CM: July 9, 2003

Bill No. 192

**THE CITY OF HAMILTON
BY-LAW NO. 03-192
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 7 ON PLAN 62M-930
INTO CHESLEY STREET**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Chesley Street within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

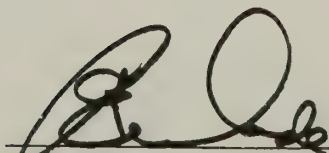
1. That the following land is hereby established and laid out as a public highway to form part of Chesley Street.

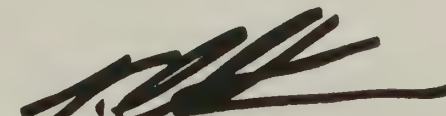
Block 7 on Plan 62M-930.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 9th day of July, 2003


MAYOR


CLERK

CAY ON HBL AD8
B91
2003

Authority: Item 6, Committee of the Whole
Report 03-019 (PW03076)
CM: July 9, 2003

Bill No. 193

THE CITY OF HAMILTON
BY-LAW NO. 03-193
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 141 ON PLAN 62M-269
INTO BOGLE DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001 Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Bogle Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

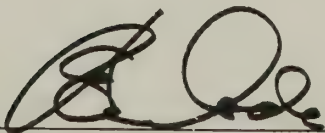
1. That the following land is hereby established and laid out as a public highway to form part of Bogle Drive.

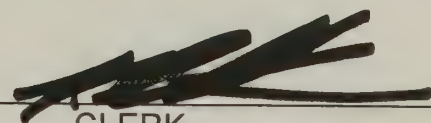
Block 141 on Plan 62M-269.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 9th day of July, 2003


MAYOR


CLERK

CAY ONNBL A08

B91

2003

Authority: Item 6, Committee of the Whole
Report 03-019 (PW03076)
CM: July 9, 2003

Bill No. 194

THE CITY OF HAMILTON
BY-LAW NO. 03-194
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 6 ON PLAN 62M-667
INTO CULLUM DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001 Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Cullum Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

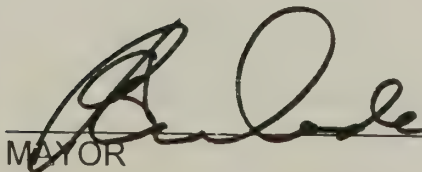
1. That the following land is hereby established and laid out as a public highway to form part of Cullum Drive.

Block 6 on Plan 62M-667.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 9TH day of July, 2003


MAYOR


CLERK

CAY ON HBLA08

B91

2003

Authority: Item 6, Committee of the Whole
Report 03-019 (PW03076)
CM: July 9, 2003

Bill No. 195

THE CITY OF HAMILTON
BY-LAW NO. 03-195
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 14 ON PLAN 62M-960
INTO KRIEGHOFF DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Krieghoff Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

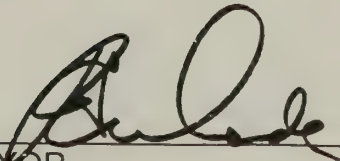
1. That the following land is hereby established and laid out as a public highway to form part of Krieghoff Drive.

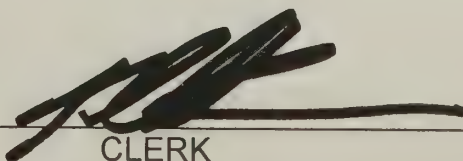
Block 14 on Plan 62M-960.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 9th day of July, 2003


MAYOR


CLERK

CAY ONHBL A08
B91
2003

Authority: Item 6, Committee of the Whole
Report 03-019 (PW03076)
CM: July 9, 2003

Bill No. 196

THE CITY OF HAMILTON
BY-LAW NO. 03-196
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 7, 9 AND 11 on PLAN 62R-11311 AND BLOCK 42 ON
PLAN 62M-887
INTO BIANCA DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Bianca Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

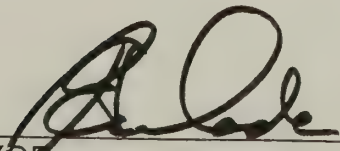
1. That the following land is hereby established and laid out as a public highway to form part of Bianca Drive.

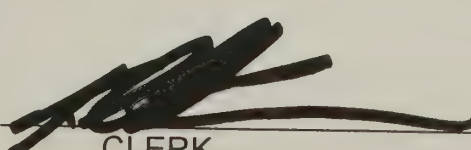
Parts 7, 9 and 11 on Plan 62R-11311 and Block 42 on Plan 62M-887.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 9th day of July, 2003


MAYOR


CLERK

Bill No. 197

**THE CITY OF HAMILTON
BY-LAW NO. 03-197
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 41 ON PLAN 62M-887
INTO MORGANTE COURT**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Morgante Court within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

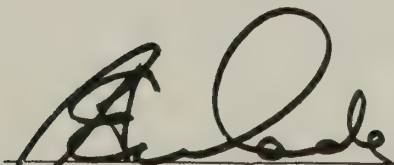
1. That the following land is hereby established and laid out as a public highway to form part of Morgante Court.

Block 41 on Plan 62M-887.

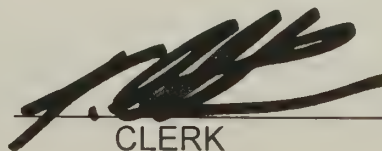
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 9th day of July, 2003



MAYOR



CLERK

CA4 ON HBL A08
B91
2003

Authority: Item 10, Hearings Sub-Committee
Report: 03-025
(PD03171/FCS03118/PW03087)
CM: July 9, 2003

Bill No. 198

CITY OF HAMILTON

BY-LAW NO. 03-198

To Adopt:

Official Plan Amendment No. 95 to the former Town of Ancaster Official Plan;
Official Plan Amendment No. 7 to the former Town of Dundas Official Plan;
Official Plan Amendment No. 92 to the former Town of Flamborough Official Plan;
Official Plan Amendment No. 42 to the former Township of Glanbrook Official Plan;
Official Plan Amendment No. 186 to the former City of Hamilton Official Plan; and,
Official Plan Amendment No. 100 to the former City of Stoney Creek Official Plan.

Respecting:

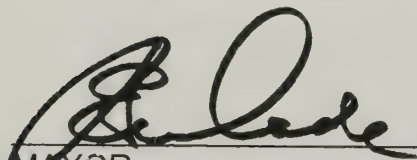
Harmonization of Parkland Dedication Policies

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 95 to the Official Plan of the Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No. 7 to the Official Plan of the Dundas Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
3. Amendment No. 92 to the Official Plan of the Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
4. Amendment No. 42 to the Official Plan of the Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
5. Amendment No. 186 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

6. Amendment No. 100 to the Official Plan of the Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
7. It is hereby authorized and directed that such approval of the Official Plan Amendments referred to in sections 1 to 6 inclusive, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 9th day of July, 2003.


MAYOR


CLERK

Amendments

to the

former Towns of Ancaster, Dundas, and Flamborough, the former Township of Glanbrook and the former Cities of Hamilton and Stoney Creek Official Plans

The following text constitutes;

1. Official Plan Amendment No. 95 to the former Town of Ancaster Official Plan;
2. Official Plan Amendment No. 7 to the former Town of Dundas Official Plan;
3. Official Plan Amendment No. 92 to the former Town of Flamborough Official Plan;
4. Official Plan Amendment No. 42 to the former Township of Glanbrook Official Plan;
5. Official Plan Amendment No. 186 to the former City of Hamilton Official Plan; and,
6. Official Plan Amendment No. 100 to the former City of Stoney Creek Official Plan.

1.0 Purpose:

The purpose of these Amendments is to provide changes to the Parkland Dedication policies of the Official Plans of the former Towns of Ancaster, Dundas, Flamborough, the former Township of Glanbrook and the former Cities of Hamilton and Stoney Creek.

The effect of the Amendments is to replace the existing Parkland Dedication policies with a more up-to-date and harmonized Parkland Dedication policy that reflects the needs of the amalgamated City of Hamilton.

2.0 Basis:

The basis for permitting these Amendments is as follows:

- The effect of the proposed Amendment will be to update existing former municipalities parkland dedication policies into a coherent, consistent and harmonized parkland dedication policy that reflects the needs of the amalgamated City of Hamilton; and,
- The proposed Amendment will create one comprehensive and consolidated parkland/cash-in-lieu policy for the City that can be clearly understood by the development community and the community at large.

3.0 Actual Changes:

3.1 Former Town of Ancaster

- a) That Subsection 4.3, Open Space and Conservation, be revised by deleting Policy 4.3.4, by replacing it with the following new Policy, and by renumbering Subsection 4.3, accordingly:

“4.3.4 In accordance with the Planning Act, and in considering any development/redevelopment proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.

- i. Council shall require a parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1 hectare for each 300 dwelling units proposed, (or a combination thereof – the rate to be applied will be that which yields the greater amount of either land or cash-in-lieu), for developments or redevelopment that contain a mix of residential densities.

For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential development or redevelopment:

- a) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per ha. inclusive, parkland shall be dedicated at a rate of 1.0 ha. for each 300 dwelling units proposed;
- b) For land designated to permit residential development or redevelopment with a density greater than 75 units per ha. parkland shall be dedicated at a rate of 0.6 ha. for each 300 dwelling units proposed.
- ii. Council shall require a parkland dedication in an amount not exceeding 2% for commercial proposals;
- iii. Council shall require a parkland dedication in an amount not exceeding 5% for institutional proposals, except as exempted in the Parkland Dedication By-law.

4.3.5 The City of Hamilton shall not require the 2% parkland dedication or cash-in-lieu, as a condition of the approval of industrial

development/redevelopment proposals, plans of subdivision or consents to sever.

4.3.6 Storm water management facilities, valley lands, hazard lands, woodlots and Environmentally Significant Areas shall not be considered as part of the parkland dedication. Notwithstanding the above, for the purpose of calculating the land area subject to the parkland dedication, storm water management facilities valley lands, hazard lands, woodlots and Environmentally Significant Areas will be excluded.

4.3.7 In addition to the parkland dedication policies referred to in Policy 4.3.4, City Council may acquire lands through:

(a) Donations, gifts, bequests from individuals or corporations; and,

(b) Monies allocated in the Municipal Budget.”

b) That Section 6 – Secondary Plans be amended by deleting Policies 6.1.11.1 (b) i), 6.2.11.1(b) i), 6.4.11.1 (b), i) and replacing them with a new policy as follows:

“i) Provisions of the *Planning Act*, as set out in Subsection 4.3 of this Plan.”

3.2 Former Town of Dundas

a) That Section 3.9.6, Open Space Acquisition, be revised by deleting Policies 3.9.6.4 and 3.9.6.5, and replacing them with the following new policies:

“3.9.6.4 In accordance with the Planning Act, and in considering any development/redevelopment proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.

i. Council shall require a minimum parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1 hectare for each 300 dwelling units proposed, (or a combination thereof – the rate to be applied will be that which yields the greater amount of either land or cash-in-lieu), for developments or redevelopment that contain a mix of residential densities.

For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of

residential development or redevelopment:

- a) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per ha. inclusive, parkland shall be dedicated at a rate of 1.0 ha. for each 300 dwelling units proposed;
- b) For land designated to permit residential development or redevelopment with a density greater than 75 units per ha. parkland shall be dedicated at a rate of 0.6 ha. for each 300 dwelling units proposed.

- ii. Council shall require a minimum parkland dedication in an amount not exceeding 2% for commercial proposals;
- iii. Council shall require a minimum parkland dedication in an amount not exceeding 5% for institutional proposals, except as exempted in the Parkland Dedication By-law.

3.9.6.5 The City of Hamilton shall not require the 2% parkland dedication or cash-in-lieu, as a condition of the approval of industrial development/redevelopment proposals, plans of subdivision or consents to sever.

3.9.6.6 Storm water management facilities, valley lands, hazard lands, woodlots and Environmentally Significant Areas shall not be considered as part of the parkland dedication. Notwithstanding the above, for the purpose of calculating the land area subject to the parkland dedication, storm water management facilities valley lands, hazard lands, woodlots and Environmentally Significant Areas will be excluded.

3.9.6.7 In addition to the parkland dedication policies referred to in policy 3.9.6.4, City Council may acquire lands through:

- (a) Donations, gifts, bequests from individuals or corporations; and,
- (b) Monies allocated in the Municipal Budget.”

b) That Section 3.9.6, Open Space Acquisition, be revised by deleting existing Policy 3.9.6.6 c), and replacing it with the following new, Policy:

“3.9.6.6 c) notwithstanding the above, sites subject to these conditions may be integrated into the development of municipal park areas by serving as pedestrian walkways, as part of a linear open space system

adjacent to creeks, as passive recreation areas, or as natural areas.”

- c) That Section 3.9.6, Open Space Acquisition, be revised by deleting existing Policy 3.9.6.6 a), and d).
- d) That Section 3.9.6, Open Space Acquisition, be revised by renumbering existing Policies 3.9.6.6 b) and c) to Policies 3.9.6.8 a) and b) respectively.
- e) That Section 3.9.6, Open Space Acquisition, be revised by deleting existing Policy 3.9.6.7 in its entirety.

3.3 Former Town of Flamborough

- a) That Subsection A.7.5, Parks and Open Space Land Use Policies, be revised by deleting Policy A.7.5.3, and replacing it with the following new Policy:
 - “A.7.5.3 The majority of the lands required for Parks and Open Space shall be acquired by the City through the conveyance of lands designated Parks and Open Space by way of the parkland dedication policies in Subsection D.6 of this Plan.”
- b) That Subsection B.11.1.5, Parks and Open Space, be revised by deleting Policy B.11.1.5.1 in its entirety, and by renumbering the remaining policies in Subsection B.11.1.5, accordingly.
- c) That Subsection B.11.1.6, Hazard Lands, be revised by deleting Policy B.11.1.6.6, in its entirety and by renumbering the remaining policies in Subsection B.11.1.6, accordingly.
- d) That Subsection D.6, Community Services, be revised by deleting Policy D.6.8, replacing it with the following new policies, and by renumbering the remaining policies in Subsection D.6, accordingly:
 - “D.6.8 In accordance with the Planning Act, and in considering any development/redevelopment proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.
 - i. Council shall require a minimum parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1 hectare for each 300 dwelling units proposed, (or a combination thereof – the rate to be applied will be that which yields the greater amount of either land or cash-in-lieu), for developments or redevelopment that contain a mix of residential densities.

For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential development or redevelopment:

- a) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per ha. inclusive, parkland shall be dedicated at a rate of 1.0 ha. for each 300 dwelling units proposed;
 - b) For land designated to permit residential development or redevelopment with a density greater than 75 units per ha. parkland shall be dedicated at a rate of 0.6 ha. for each 300 dwelling units proposed.
- ii. Council shall require a minimum parkland dedication in an amount not exceeding 2% for commercial proposals;
 - iii. Council shall require a minimum parkland dedication in an amount not exceeding 5% for institutional proposals, except as exempted in the Parkland Dedication By-law.

D.6.9 The City of Hamilton shall not require the 2% parkland dedication or cash-in-lieu, as a condition of the approval of industrial development/redevelopment proposals, plans of subdivision or consents to sever.

D.6.10 Storm water management facilities, valley lands, hazard lands, woodlots and Environmentally Significant Areas shall not be considered as part of the parkland dedication. Notwithstanding the above, for the purpose of calculating the land area subject to the parkland dedication, storm water management facilities valley lands, hazard lands, woodlots and Environmentally Significant Areas will be excluded.

D.6.11 In addition to the parkland dedication policies referred to in policy D.6.8, City Council may acquire lands through:

- (a) Donations, gifts, bequests from individuals or corporations; and,
- (b) Monies allocated in the Municipal Budget."

3.4 Former Township of Glanbrook

- a) That Subsection C.1, Hazard Lands, be revised by deleting Policy C.1.7 in its entirety.
- b) That Subsection G.15, Parkland Dedication, be revised by deleting G.15 in its entirety and replacing it with the following new Policies:

"G.15 Parkland Dedication

The City's objective is to acquire an adequate level of parkland to meet the needs of the community as outlined in the Open Space standards contained in this Plan.

G.15.1 In accordance with the Planning Act, and in considering any development/redevelopment proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.

- i. Council shall require a minimum parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1 hectare for each 300 dwelling units proposed, (or a combination thereof – the rate to be applied will be that which yields the greater amount of either land or cash-in-lieu), for developments or redevelopment that contain a mix of residential densities.

For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential development or redevelopment:

- a) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per ha. inclusive, parkland shall be dedicated at a rate of 1.0 ha. for each 300 dwelling units proposed;
 - b) For land designated to permit residential development or redevelopment with a density greater than 75 units per ha. parkland shall be dedicated at a rate of 0.6 ha. for each 300 dwelling units proposed.
- ii. Council shall require a minimum parkland dedication in an amount not exceeding 2% for commercial proposals;

- iii. Council shall require a minimum parkland dedication in an amount not exceeding 5% for institutional proposals, except as exempted in the Parkland Dedication By-law.
- G.15.2 The City of Hamilton shall not require the 2% parkland dedication or cash-in-lieu, as a condition of the approval of industrial development/redevelopment proposals, plans of subdivision or consents to sever.
- G.15.3 Storm water management facilities, valley lands, hazard lands, woodlots and Environmentally Significant Areas shall not be considered as part of the parkland dedication. Notwithstanding the above, for the purpose of calculating the land area subject to the parkland dedication, storm water management facilities valley lands, hazard lands, woodlots and Environmentally Significant Areas will be excluded.
- G.15.4 In addition to the parkland dedication policies referred to in Policy G.15.1, City Council may acquire lands through:
 - (a) Donations, gifts, bequests from individuals or corporations; and,
 - (b) Monies allocated in the Municipal Budget.
- G.15.5 All lands dedicated to the City will be adequately drained and transferred in a condition that is satisfactory to the City. When an open water course is involved, adequate space shall be provided for maintenance and operations."

3.5 Former City of Hamilton

- a) That Subsection D.5, Municipal Land Acquisition, be revised by deleting the first paragraph of Policy D.5.2, and replacing it with the following new policy:
 - "D.5.2 All lands dedicated for Parks purposes and any other dedication of land to the City will be adequately drained and transferred to the City in an acceptable condition. In this regard, existing vegetation will be in an undisturbed condition and the site will be free of debris with top soil intact. Further:"
- b) That Subsection D.5, Municipal Land Acquisition, be revised by deleting Policy D.5.4, in its entirety and renumbering the remaining policies in Subsection D.5 accordingly.

- c) That Subsection D.5, Municipal Land Acquisition, be revised by adding the following new Policies:

"D.5.8 In accordance with the Planning Act, and in considering any development/redevelopment proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.

- i. Council will require a minimum parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1 hectare for each 300 dwelling units proposed, (or a combination thereof – the rate to be applied will be that which yields the greater amount of either land or cash-in-lieu), for developments or redevelopment that contain a mix of residential densities.

For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential development or redevelopment:

- a) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per ha. inclusive, parkland shall be dedicated at a rate of 1.0 ha. for each 300 dwelling units proposed;
- b) For land designated to permit residential development or redevelopment with a density greater than 75 units per ha. parkland shall be dedicated at a rate of 0.6 ha. for each 300 dwelling units proposed.
- ii. Council will require a minimum parkland dedication in an amount not exceeding 2% for commercial proposals;
- iii. Council will require a minimum parkland dedication in an amount not exceeding 5% for institutional proposals, except as exempted in the Parkland Dedication By-law.

D.5.9 The City of Hamilton will not require the 2% parkland dedication or cash-in-lieu, as a condition of the approval of industrial development/redevelopment proposals, plans of subdivision or consents to sever.

D.5.10 Storm water management facilities, valley lands, hazard lands, woodlots and Environmentally Significant Areas will not be considered as part of the parkland dedication. Notwithstanding the

above, for the purpose of calculating the land area subject to the parkland dedication, storm water management facilities valley lands, hazard lands, woodlots and Environmentally Significant Areas will be excluded.

D.5.11 In addition to the parkland dedication policies referred to in policy D.5.8, City Council may acquire lands through:

- i. Donations, gifts, bequests from individuals or corporations; and,
- ii. Monies allocated in the Municipal Budget.”

3.6 Former City of Stoney Creek

- a) That Subsection B.2, Hazard Lands, be revised by deleting Policy B.2.2.6, in its entirety.
- b) That Subsection F.8, Municipal Land Acquisition, be revised by deleting Policy F.8.2, and replacing it with the following Policies and that the remaining policies in Subsection F.8 be renumbered accordingly:

“F.8.2 In accordance with the Planning Act, and in considering any development/redevelopment proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.

- i. Council will require a minimum parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1 hectare for each 300 dwelling units proposed, (or a combination thereof – the rate to be applied will be that which yields the greater amount of either land or cash-in-lieu), for developments or redevelopment that contain a mix of residential densities.

For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential development or redevelopment:

- a) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per ha. inclusive, parkland shall be dedicated at a rate of 1.0 ha. for each 300 dwelling units proposed;

- b) For land designated to permit residential development or redevelopment with a density greater than 75 units per ha. parkland shall be dedicated at a rate of 0.6 ha. for each 300 dwelling units proposed;
- ii. Council will require a minimum parkland dedication in an amount not exceeding 2% for commercial proposals;
- iii. Council will require a minimum parkland dedication in an amount not exceeding 5% for institutional proposals, except as exempted in the Parkland Dedication By-law.

F.8.3 The City of Hamilton will not require the 2% parkland dedication or cash-in-lieu, as a condition of the approval of industrial development/redevelopment proposals, plans of subdivision or consents to sever.

F.8.4 Storm water management facilities, valley lands, hazard lands, woodlots and Environmentally Significant Areas shall not be considered as part of the parkland dedication. Notwithstanding the above, for the purpose of calculating the land area subject to the parkland dedication, storm water management facilities valley lands, hazard lands, woodlots and Environmentally Significant Areas will be excluded.

F.8.5 In addition to the parkland dedication policies referred to in Policy F.8.2, City Council may acquire lands through:

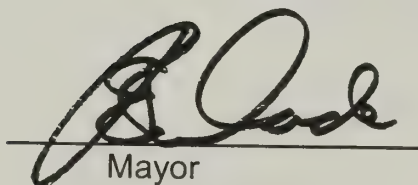
- a) Donations, gifts, bequests from individuals or corporations; and,
- b) Monies allocated in the Municipal Budget.”

4.0 Implementation:

The provisions of Section 7 – Implementation, of the Official Plan for the former Town of Ancaster, Section 5 – Implementation and Administration, of the Official Plan for the former Town of Dundas, Section F – Implementation of the Official Plan for the former Town of Flamborough, Section G – Implementation, of the Official Plan for the former Township of Glanbrook, Section D – Implementation, of the Official Plan for the former City of Hamilton, and Section F – Implementation, of the Official Plan for the former City of Stoney Creek, will give effect to the amendments.

This is Schedule "1" to By-law No. 03-198 passed on the 9th day of July, 2003.

The
City of Hamilton



Mayor

City Clerk

CAYONHBLA08

B91

2003

Authority: Item 10, Hearings Sub-Committee
Report 03-025
(PD03171/FCS03118/PW03087)
CM: July 9, 2003

Bill No. 199

CITY OF HAMILTON

BY-LAW NO. 03-199

**Being a By-law to require the conveyance of land for
park or other public recreational purposes as a
condition of development or redevelopment or the
subdivision of land.**

WHEREAS sections 42, 51.1, and 53 of the *Planning Act*, R.S.O. 1990 provide that the Council of a local municipality may by By-law require that land be conveyed to the municipality for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of lands;

AND WHEREAS sections 42 and 51.1 of the *Planning Act* R.S.O. 1990 provide for an alternate parkland rate of one hectare for each three hundred (300) dwelling units proposed for development provided the municipality has an official plan that contains specific policies dealing with the provision of lands for park or other public recreational purpose at such rate;

AND WHEREAS the Council of the City of Hamilton wishes to use these provisions to further the acquisition of lands for parks or other public recreational purposes;

NOW, THEREFORE: The Council the City of Hamilton hereby ENACTS as follows:

DEFINITIONS

1. In this By-law:

"Development" means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishing of a commercial parking lot.

"Redevelopment" means the removal of a building or structure from land, the further development of the land, or the substantial renovation of a building or

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land.

structure and a change in the character or density of the use in connection therewith.

“Industrial Use” means the use of land, building or structure for, or in connection with:

- i) manufacturing, processing, producing, storing or distributing of something;
- ii) research or development in connection with manufacturing, producing or processing something;
- iii) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site which the manufacturing, production or processing takes place;
- iv) offices or administrative purposes, if they are;
 - a. carried out with respect to manufacturing, producing, processing, storage or distributing of something, and,
 - b. in or attached to the building or structure used for that manufacturing, producing or processing, storage or distribution.

“Institutional Use” means the use of lands for a place of worship, college or university, cemetery, mausoleum, columbarium or crematorium or other charitable, non profit uses as may be deemed by Council.

“Subdivision” means the process referred to in Section 50 of the *Planning Act*, R.S.O. 1990.

“Consent” means the process referred to in Section 53 of the *Planning Act*, R.S.O. 1990.

“Gross land area” means the total area of all lands contained in the subdivision plan or development or redevelopment application.

“Net land area” means the “Gross land area” minus any storm water management facilities to be conveyed to the City and any “Environmental lands” to be dedicated to a public authority, provided that if urban services are located within the “Environmental lands” the respective portion of the land shall be included as part of the Gross land area.

“Environmental lands” includes valley land, being lands located below the top of bank as defined by the respective Conservation Authority but shall not include any buffer land beyond the top of bank, Provincially significant lands including

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land.

Areas of Natural or Scientific Interest (ANSI), Wetlands, Environmentally Significant Areas (ESA) and Woodlots.

APPLICATION

2. This By-law shall apply to all lands within the City of Hamilton;

DEVELOPMENT OR REDEVELOPMENT

3. As a condition of development or redevelopment pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, the owner is required to convey to the City land for park or other public recreational purposes as follows:
 - a. In the case of lands proposed for residential purposes the dedication of land in the amount of five percent (5%) of the Net land area to be developed or redeveloped;
 - b. As an alternative to section 3.a. above the City may require the dedication of lands for park or other recreational purpose in accordance with the following dedication rates:
 - i. In the case of lands to be developed at a density of 20 to 75 units per hectare inclusive, parkland shall be dedicated at a rate of 1.0 hectare for each 300 dwelling units proposed;
 - ii. In the case of lands to be developed at a density greater than 75 units per hectare parkland shall be dedicated at a rate of .6 hectare. for each 300 dwelling units proposed.
 - c. In the case of lands proposed for development or redevelopment for commercial purposes land in the amount of two percent (2%) of the Net land area to be developed or redeveloped; and,
 - d. In the case of lands proposed for development or redevelopment for mixed use commercial and residential development the parkland calculation shall be based on the pro rata proportion of the commercial and total floor area times the Net land area + the residential component.

For example:

A new building is developed for mixed use commercial space and 6 residential units, the cash equivalent of the parkland dedication to be conveyed is calculated as:

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land.

$.02\% \times (\text{commercial space} / \text{total building space}) \times \text{total lot area} + 1 \text{ ha}/300 \text{ dwelling units (i.e. } 1\text{ha.}/300 \times 6 \text{ units)}$

- e. In the case of lands proposed for residential redevelopment the parkland calculation shall be based on the additional dwelling units proposed;
- f. In the case of lands proposed for commercial or residential redevelopment the parkland calculation shall be based on the pro rata proportion of the floor area of the new development to the existing development or the additional dwelling units proposed respectively;

For example:

An existing commercial building is being double in size:

Cash equivalent of the parkland land to be conveyed = $(\text{new commercial space} / \text{total commercial space}) \times \text{area of property} \times 2\%$;

or,

An existing commercial building, which previously paid cash in lieu, is being redeveloped to convert half of the commercial space to residential units;

Cash equivalent of the parkland land to be conveyed = $1 \text{ ha}/300 \text{ dwelling units (i.e. } 1\text{ha.}/300 \times 6) - (1/2 \text{ of the current value of the building as commercial use}) \times 2\%$.

- g. In the case of lands proposed for development for use other than those referred to in subsections 3.a. to 3.e, or Industrial or Institutional purposes as defined herein, land in the amount of five percent (5%) of the Net land area to be developed or redeveloped.

SUBDIVISION or CONSENT

- 4. As a condition of subdivision plan approval pursuant to Section 51 or the giving of a provisional Consent pursuant to Section 53 of the *Planning Act*, R.S.O. 1990, the owner is required to convey to the City land for park or other public recreational purposes as follows:
 - a. In the case of lands proposed for residential purposes five percent (5%) of the Net land area contained within the subdivision plan;
 - b. As an alternative to section 3.a. above the City may require the dedication of lands for park or other recreational purpose in accordance with the following dedication rates:

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land.

- i. In the case of lands to be developed at a density of 20 to 75 units per hectare inclusive, parkland shall be dedicated at a rate of 1.0 hectare for each 300 dwelling units proposed;
- ii. In the case of lands to be developed at a density greater than 75 units per hectare parkland shall be dedicated at a rate of .6 hectare for each 300 dwelling units proposed.
- c. In the case of a subdivision plan proposed for commercial purposes two percent (2%) of the Net land area contained within the subdivision plan;
- d. In the case of a subdivision containing lands proposed for different uses and/or at different residential densities a combination of the dedication rates defined in 4a, 4b. and 4.c. applicable to the specific use whichever is the greater.

LOCATION OF PARK LAND

5. The location and configuration of land required to be conveyed shall be at the sole discretion of the City and all such conveyances shall be free of all encumbrances.
6. Any conveyance or dedication of Environmental Lands as defined herein or storm water management facilities shall not be considered a conveyance for park or other recreational purpose pursuant to the requirements of Sections 3 or 4 above.

CASH-IN-LIEU OF PARKLAND

7. In lieu of requiring the conveyance referred to in Sections 3 and 4 above, the City may require the payment of money to the value of the lands required to be conveyed.

VALUATION

8. Where the City requires the payment of money to the value of the land otherwise required to be conveyed, such payments shall be made prior to the issuance of the building permit for the land to be developed or redeveloped.
9. The value of the land shall be determined as of the day before the day of the issuance of the building permit in respect of the development or redevelopment, or, where more than one building permit is required for the development, as of the day of the issuance of the first building permit.

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land.

10. Land or cash-in-lieu equivalent required to be conveyed to the City for park or other public purposes pursuant to Sections 3, 4 and 7 shall be reduced by the amount of the land conveyance or cash-in-lieu parkland equivalent received by the City pursuant to Sections 51.1 or 53 of the *Planning Act* and no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment will be required by the City in respect of subsequent development or redevelopment unless:

- a. There is a change in the proposed development or redevelopment which would increase the density of development; *or*
- b. Land originally proposed for development or redevelopment for Commercial, Industrial, Institutional or Recreational purposes is now proposed for development or redevelopment for other purposes.

EXEMPTIONS

11. Notwithstanding any other provisions of this By-law, this By-law shall not apply where:

- a. The proposed development or redevelopment, pursuant to Section 41 or 51 of the *Planning Act*, for Industrial, or Institutional purposes as defined in this By-law;
- b. The development or redevelopment consists of making an addition or alteration to a residential building provided the number of dwelling units within the residential building is not increased; *and*
- c. The development or redevelopment consists of making an addition or alteration to a commercial building provided the entire building continues to be used for commercial purposes and the gross floor area of the addition is not greater than 50% of the gross floor area of the building existing at time of passing of this By-law.

TRANSITION PROVISIONS

12. The provisions of this By-law pursuant to Sections 41, 51 and 53 of the *Planning Act*:

- a. all applications for consents and site plans for which approval has not been given prior to Council's date of enactment;
- b. for all draft plans of subdivision applied for after Council's enactment date;
- c. and for any subdivision applications having been granted draft plan approval for a period of time of 5 years or more and which has not

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land.

proceeded with registration of at least one phase of the subdivision plan within 3 years of draft plan approval date.

13. The cash-in-lieu of parkland dedication provisions of this by-law are effective immediately, subject to the following phase-in of cash-in-lieu of parkland requirements relative to residential plans of subdivision, not containing any dedication of land for park purposes:

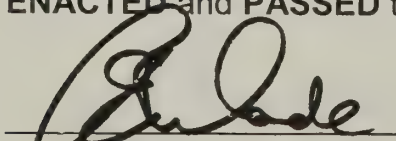
- a. 2003 to December 31, 2005:
3 percent of land value determined as of the day before the day of building permit issuance.
- b. January 1, 2006 to December 31, 2006:
4 percent of land value determined as of the day before the day of building permit issuance.
- c. As of January 1, 2007:
Full application of new policy being 5 percent of land value determined as of the day before the day of building permit issuance.

BY-LAWS REPEALED

14. The following By-laws are hereby repealed:

- a. By-law 84-252 of the former City of Hamilton;
- b. By-law 89-25 of the former Town of Ancaster;
- c. By-law 4323-96 of the former Town of Dundas;
- d. By-law 99-123-P of the former Town of Flamborough;
- e. By-law 401-89 of the former Town of Glanbrook;
- f. By-law 4482-96 of the former Town of Stoney Creek.

ENACTED and PASSED this 9th day of July, 2003



Mayor



City Clerk

CAY ONHBL A08
B91
2003

Authority: COW Item 6
Report 03-018 (FCS03092)
CM: June 25, 2003

Bill No. 200

City of Hamilton

BY-LAW NO. 03-200

**Being a by-law to authorize the use of touch screen voting equipment
at Municipal Elections**

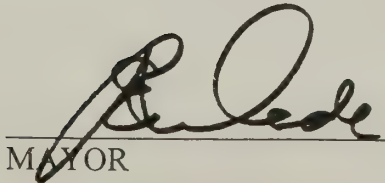
WHEREAS section 42 of the Municipal Elections Act, 1996, S.O. 1996, c.32, Sch., provides that the council of a local municipality may, by by-law, authorize the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators at municipal elections;

AND WHEREAS the Council of the City of Hamilton considers it desirable to pass such a by-law and has every power of a local municipality under any general or special Act;

NOW THEREFORE, the Council of the City of Hamilton hereby enacts as follows:

1. The use of touch screen voting equipment is authorized for the purpose of recording votes at municipal elections.
2. This By-law comes into force on the date of its enactment.

ENACTED AND PASSED this 9th day of July, 2003.



MAYOR



CLERK

CAY ONHL A08
B91
2003

Authority:

Item 4, Hearings Sub-Committee
Report: 03-026 (PD03166)
CM: July 9, 2003

Bill No. 201

CITY OF HAMILTON

BY-LAW NO. 03-201

To Adopt:

Official Plan Amendment No. 93 to the Former Town of Flamborough Official Plan;

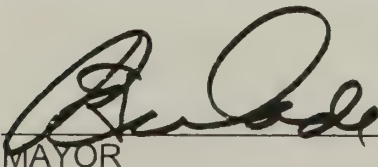
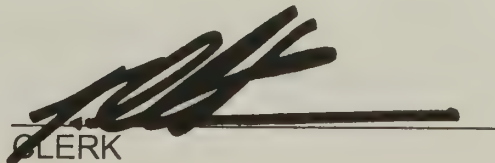
Respecting:

1345 Highway No.6

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. to the Official Plan of the former Town of Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 9th day of July, 2003.


MAYOR
CLERK

Amendment No. 93

to the

Official Plan for the former Town of Flamborough

The following text and Schedule "B" – Rural Land Use Concept, attached hereto, constitute Official Plan Amendment No. 93.

Purpose:

The purpose of this Amendment is to re-designate the subject lands from "Agriculture" to "Agriculture Site Specific Area No. 51" to permit the existing residential dwelling, and a mini-storage use with accessory office/residential unit and outdoor storage.

Location:

The land affected by this Amendment is municipally known as 1345 Highway 6, and is located north of Safari Road, west of Edgewood Road and east of Highway No.6.

Basis:

The basis for permitting this proposal is as follows:

- The proposed use conforms with the policies of the Provincial Policy Statement, and conforms with the policies of the former Regional Municipality of Hamilton-Wentworth Official Plan, and meets the general intent of the former Town of Flamborough Official Plan.
- The subject lands are located on a parcel of land with limited agricultural potential; furthermore, the proposed use is compatible with surrounding land uses and there is a limited supply of the proposed use in the area.

Actual Changes:

- 1) That Schedule "B", Rural Land Use Plan, be revised by identifying the subject lands as "OPA #93" and by re-designating the subject lands from "Agriculture" to "Agriculture Site Specific Area No. 51", as shown on the attached Schedule "B" of this Amendment.
- 2) That Section B.2.12 AGRICULTURE – SITE SPECIFIC AREAS be revised by adding the following new policy B.2.12.11 as follows:

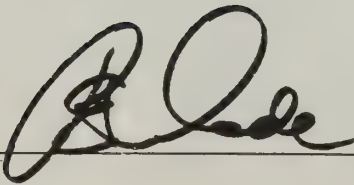
"B.2.12.11 Notwithstanding Subsection A.2, Agriculture, and the Agriculture designation on the lands municipally known as 1345 Highway No.6, and identified on Schedule B, Rural Land Use Plan, as "Agriculture Site Specific Area No. 51", the following additional uses shall be permitted: mini-storage use with accessory office/residential unit and outdoor storage."

Implementation:

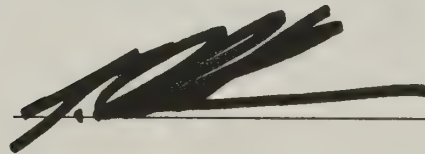
Section F – Implementation, of the Official Plan of the former Town of Flamborough will give effect to the Amendment.

This is Schedule "1" to By-law No.03-201, passed on the 9th day of July, 2003.

**The
City of Hamilton**

A handwritten signature in black ink, appearing to be "R. L. L.", written over a horizontal line.

Mayor

A handwritten signature in black ink, appearing to be "J. L.", written over a horizontal line.

City Clerk

TOWN OF FLAMBOROUGH

RURAL LAND USE PLAN

Schedule B (To the Official Plan)

LEGEND

Land Use Designations

- Rural
- Agriculture
- Rural Residential Estate Development
- Rural Industrial
- Extractive Industrial
- Highway Commercial - Rural
- Open Space and Recreation
- Rural Industrial Park
- Farmstead/Medium Escarpment
- Park Boundary
- Railway Belt/West Park Boundary
- Urban Area Boundary



Schedule "B" - Rural Land Use Plan
Amendment No. 93
To the Official Plan of the former Town of Flamborough

Identify the Subject Lands as OPA #93, and Re-designate the Subject Lands from "Agriculture" to "Agriculture Site Specific Area No. 51"

Date: July, 2003
Revised by: K Macintyre
Reference File No.: OPA No 93 (F)

Authority: Item 4, Hearings Sub-Committee
Report 03-026 (PD03166)
CM: July 9, 2003

Bill No. 202

CITY OF HAMILTON

BY-LAW NO. 03-202

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting 1345 Highway No. 6 North,**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 4 of Report 03-026 of the Hearing Sub-Committee at its meeting held on the 9th day of July, 2003, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough), approved by the Minister under the Planning Act on September 27th, 1988, as amended by Official Plan Amendment No. 93 proposed by the Corporation of the City of Hamilton as By-law No. 03-201, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule No. "A-8" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing the zoning of the lands located at 1345 Highway No. 6 North from Agriculture "A" to Site Specific Agriculture "A-76", for those lands being Part of Lots 13 & 14, Concession 7, former geographic township of West Flamborough and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.
2. Section 33.3 – Agriculture 'A' Zone is hereby amended by adding the following subsection:

33.3 EXCEPTION NUMBERS

33.3.76 'A-76' (See Schedule A-8)

Permitted Uses

- (a) Single Detached Dwelling and associated accessory structure existing at the date of passage of this By-law
- (b) Mini-Storage
- (c) Open Storage accessory to the mini-storage operation
- (d) Accessory Office and one Residential Unit for maintenance/security purposes only
- (e) Agriculture

Zone Provisions

- (a) Lot Area (maximum) 3.96 hectares
- (b) Lot Frontage (maximum) 45 metres
- (c) Front Yard (minimum):
 - (i) 22 metres for the single detached dwelling existing at the date of passage of this By-law.
 - (ii) 5.3 metres for the accessory structure existing at the date of the passage of this By-law.
 - (iii) 28 metres for all new construction.

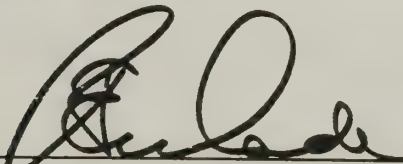
- (d) Gross Floor Area (maximum) 120 square metres for the accessory office and dwelling unit.
- (e) Building Height (maximum):
 - (i) 4.5 metres for the mini-storage units
 - (ii) 9.5 metres for the accessory office and dwelling unit.
- (f) Minimum Parking 5 spaces including 1 handicapped space
- (g) Interior Side Yard (minimum):
 - (i) 5 metres abutting any residential use or zone.
 - (ii) 3 metres abutting all other zones.
- (h) Regulated Area Setback 15 metre (minimum) development setback from the Conservation Management 'CM' Zone.
- (i) Lot Coverage (maximum) 35%
- (j) Open Storage:
 - (i) 2,970 square metre (maximum) not to exceed 25% of the total floor area of the mini-storage buildings at any one time.
 - (ii) Open Storage shall be used only for Recreational Vehicles, boats, and snowmobiles and shall not include any commercial vehicles or construction vehicles/equipment.
 - (iii) 12 metre (minimum) setback from all lot lines.
- (k) Planting Strip (minimum):

Notwithstanding subsection 5.12.2(g) a five (5) metre wide planting strip is required across the entire frontage, flankage and adjacent to any lot line which abuts a residential use or

lot zoned for residential purposes. A three (3) metre wide planting strip is required along all other lot lines. The required planting strip shall contain trees and shrubs with a minimum height of 0.8 metres on planting.

- (l) No Driving Aisle or Maneuvering Space between the building and adjoining residential uses or zones shall be permitted. Further, there shall be no doors or windows along any wall of the mini-storage buildings that face adjoining residential uses or zones.
 - (m) All other Zone Provisions of Subsection 31.2: Rural Industrial 'M3' Zone shall apply.
 - (n) General Provisions – in accordance with the provisions of Section 5 hereof, notwithstanding the provisions of Subsection 5.12.2 (g).
3. That the amending By-law be added to Schedule "A-8" of Zoning By-law No. 90-145-Z (Flamborough).
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

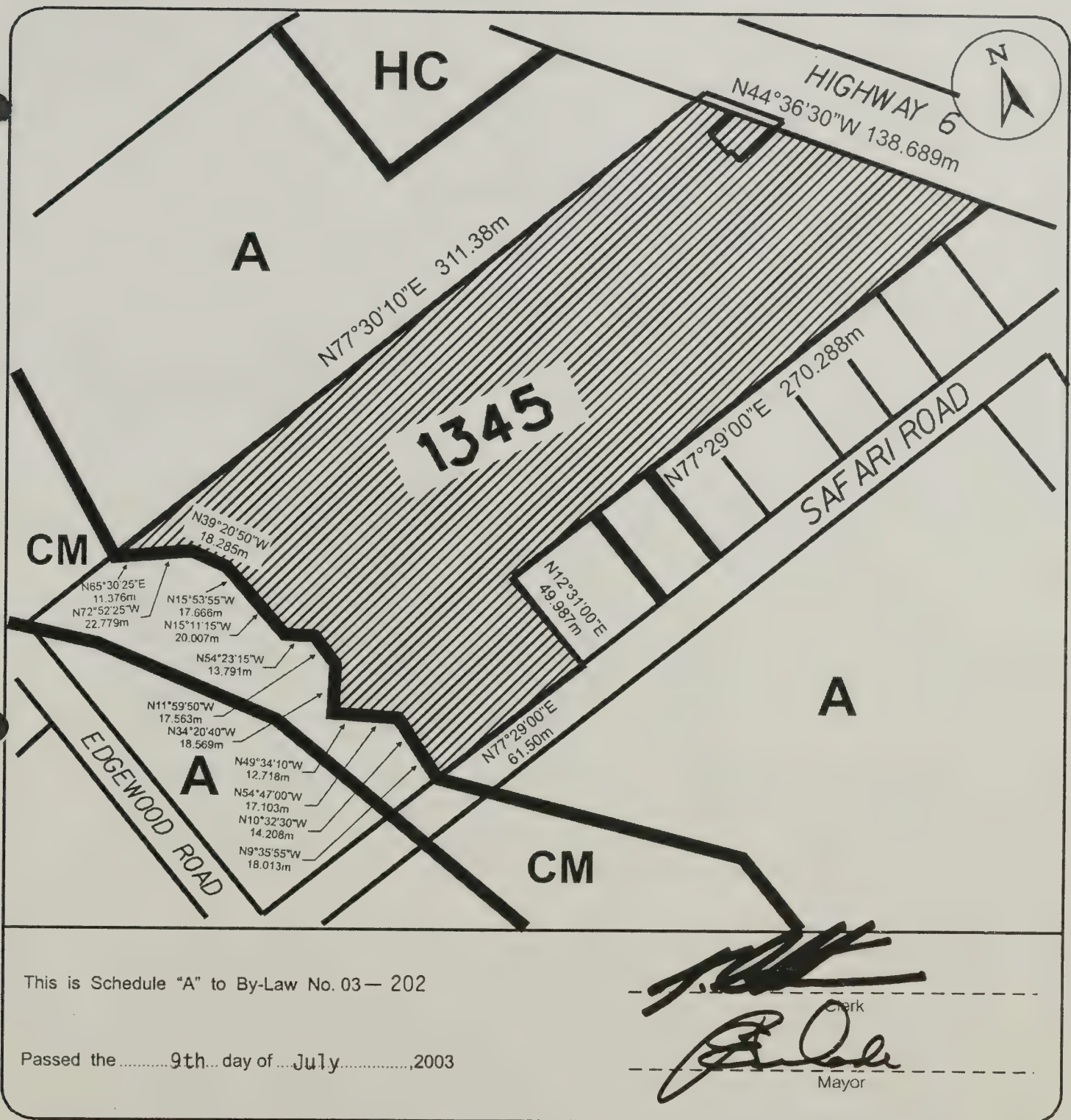
PASSED and ENACTED this 9th day of July, 2003.



MAYOR



CLERK



Schedule "A"

Map Forming Part of
By-Law No. 03-202
to Amend By-Law No. 90-145-Z



Hamilton

Planning and Development Department

Legend



Subject Property

Change in Zoning From Agricultural "A"
To Site Specific Agricultural "A-76" Zone.

North



Scale

NOT TO SCALE

Date

June 5, 2003

Reference File No.

OPA-02-18 & ZAC-02-74

Drawn By

LC

THE CITY OF HAMILTON

BY-LAW NO. 03- 203

To Confirm the Proceedings of City Council at its meeting held on July 9, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 9th day of July, 2003 in respect of each recommendation contained in:

Report 03-019 of the Committee of the Whole,
Report 03-025 of the Hearings Sub-Committee,
Report 03-026 of the Hearings Sub-Committee,
Report 03-005 of the Grants Sub-Committee,
Report 03-001 of the Licensing Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 9th day of July, 2003


MAYOR


CITY CLERK

**CITY OF HAMILTON
BY-LAW NO. 03-205
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Second Road West	North & South	Hillcroft Drive
Second Road West	North & South	Fairhaven Drive
Second Road West	North & South	Gatestone Drive"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 23rd day of July, 2003



MAYOR



CLERK

Bill No. 204

**CITY OF HAMILTON
BY-LAW NO. 03-204
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 27 (Truck Routes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "C" thereof the following item, namely:

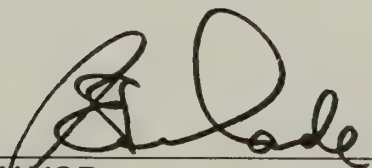
"Millgrove Side Road	Concession 5 West to Hwy 6	Anytime"
	(northbound direction only)	

and by deleting from Section "C" thereof the following item, namely:

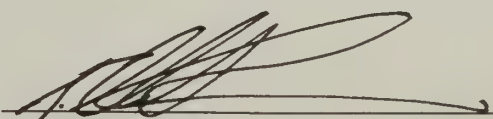
"Millgrove Side Road	Concession 5 West to Hwy 6	Anytime"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 23rd day of July, 2003



MAYOR



CLERK

Authority: Item 1, Hearings Sub-Committee
Report: 03-023 (PD02201(b))
CM: June 25, 2003

Bill No. 206

CITY OF HAMILTON

BY-LAW NO. 03-206

To Adopt:

Official Plan Amendment No. 15 to the former Regional Municipality of Hamilton-Wentworth Official Plan;

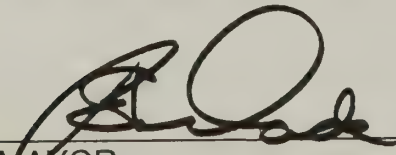
Respecting:

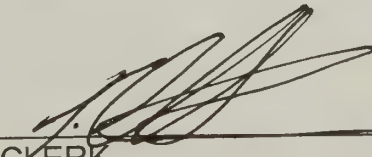
Correction of location errors in Regional Official Plan Amendment No. 12 (By-law 03-096)

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 15 to the Official Plan of the Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 23rd day of July, 2003.


MAYOR


CLERK

Amendments

to the

Official Plan of the former Regional Municipality of Hamilton-Wentworth

The following text, attached hereto, constitutes Official Plan Amendment No. 15 to the Regional Municipality of Hamilton-Wentworth Official Plan.

1.0 Purpose:

The purpose of this Amendment is to change the description of the location of two (2) Environmentally Significant Areas (ESAs) in the Section titled "**Location:**", on page 3 of ROPA No.12 (By-law No. 03-096), to correctly identify the location of two (2) ESAs (No. 15 and No. 16), that were erroneously identified in the text on page 3 of the Amendment, only. No changes to the policies or mapping of Regional Official Plan Amendment No. 12 is required.

2.0 Location:

The lands subject to this Amendment are located within the following areas:

1. On lands identified as **Big Creek Headwaters Complex** located:
 - North of Governor's Road, South of Concession 2 West, East of Woodhill Road, West of Highway No.52.
2. On lands identified as **North Seneca Wetland** located:
 - North of Haldibrook Road, South of Chippewa Road West, East of Glancaster Road, and West of Highway No.6.

3.0 Basis:

The basis for permitting this proposed Amendment is that it will correct the location error of two (2) Environmentally Significant Areas that were wrongly identified in Regional Official Plan Amendment No.12 (By-law No. 03-096).

4.0 Actual Changes:

1. That the Section titled "**Location:**" in Regional Official Plan Amendment No. 12 be revised, by deleting the location of Environmentally Significant Area No. 15 identified as Big Creek Headwaters Complex on page 3, and replacing it with the following:

"15. On lands identified as **Big Creek Headwaters Complex** located:

- North of Governor's Road, South of Concession 2 West, East of Woodhill Road, and West of Highway No.52."

2. That the Section titled "**Location:**" in Regional Official Plan Amendment No. 12 be revised, by deleting the location of Environmentally Significant Area No. 16 identified as North Seneca Wetland on page 3, and replacing it with the following:

"16. On lands identified as **North Seneca Wetland** located:

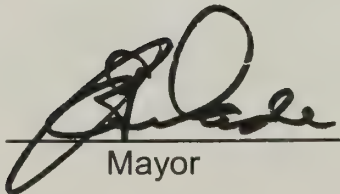
- North of Haldibrook Road, South of Chippewa Road West, East of Glancaster Road, and West of Highway No.6."

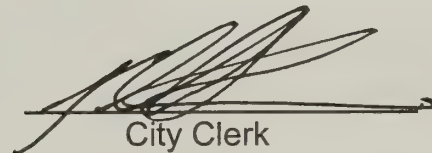
5.0 Implementation:

The provisions of Section D – Implementation, of the Official Plan for the former Regional Municipality of Hamilton-Wentworth, will give effect to the amendment.

This is Schedule "1" to By-law No.03-206 passed on the 23rd day of July, 2003.

City of Hamilton



Mayor

City Clerk

CITY OF HAMILTON

BY-LAW NO. 03-207

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 293 Wellington Street North**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 1 of Report 03-009 of the Hearing Sub Committee at its meeting held on the 5th day of March, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

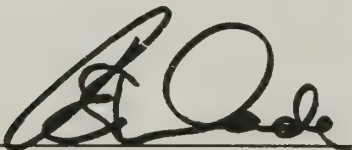
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "K" (Heavy Industry, Etc.) District provisions, as contained in Section 17 of Zoning By-law No. 6593, as amended by By-law No. 88-166, applicable to the subject lands, the extent and boundaries of which are shown on a plan hereto

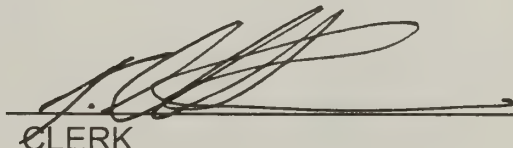
annexed as Schedule "A", are amended to the extent only of the special requirement that:

- (a) Notwithstanding Section 17.(1) of Zoning By-law No. 6593, as amended by By-law No. 88-166, the following use is also permitted:
- 1) a lodging house, with or without remuneration, having a maximum of fifteen (15) lodging rooms, with such rooms having individual bathrooms with common kitchen facilities.
 2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "K" (Heavy Industry, Etc.) District provisions, subject to the special requirements referred to in section 1.
 3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1077a.
 4. Sheet No. E-3 and E-12 of the District Maps are amended by marking the lands referred in Section 1 of this by-law as S-1077a.
 5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

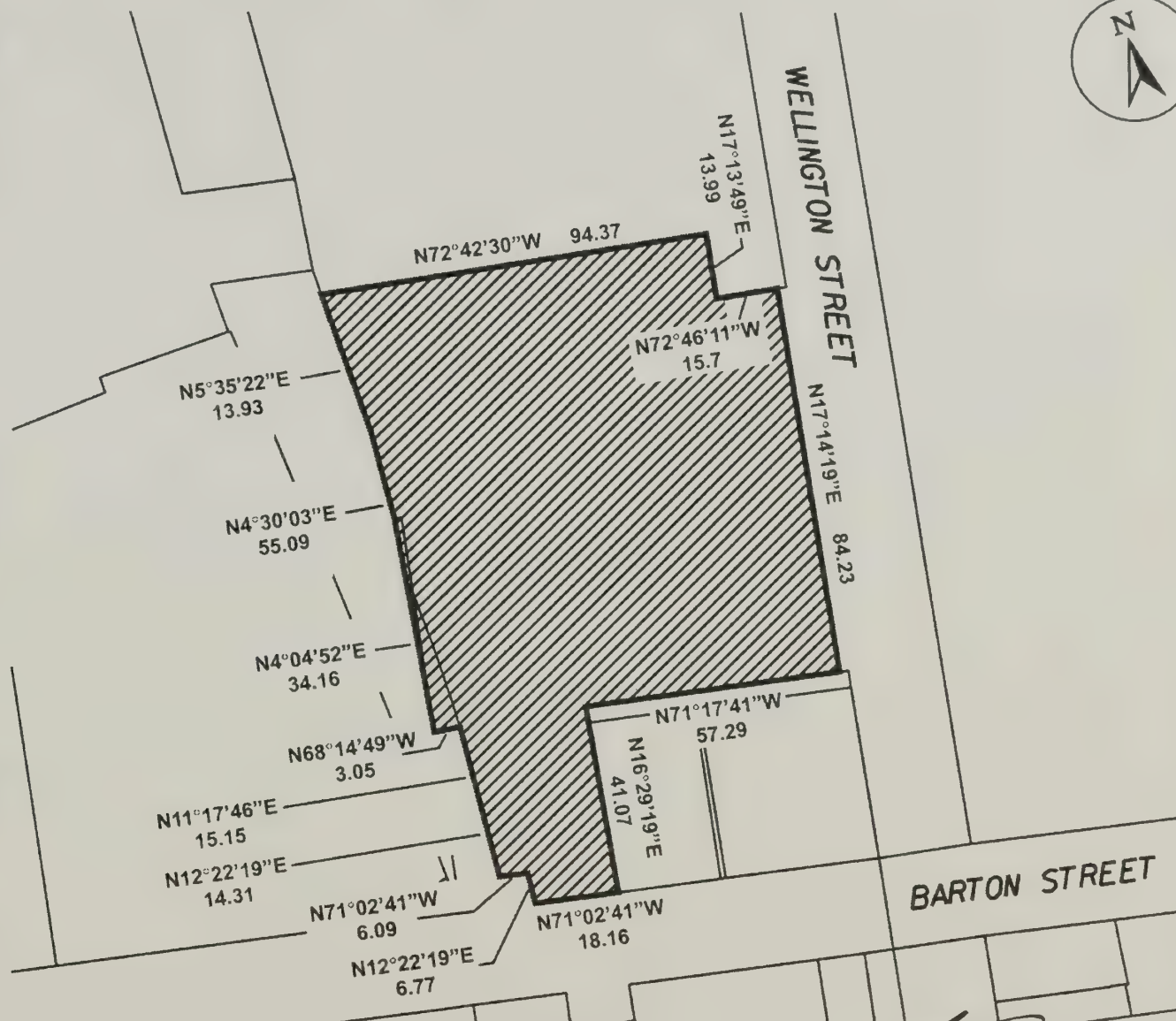
PASSED and ENACTED this 23rd day of July, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03—207

Passed the 23rd day of July, 2003

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-207
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend



Subject Property
293 Wellington Street North

Further Modification to the "K"
(Heavy Industry, Etc.) District provisions

North 	Scale NOT TO SCALE	Reference File No. ZAR-02-88
	Date July 8, 2003	Drawn By MC

CH4 ON HBL A08 B91

Authority: Item 6, Hearings Sub-Committee
Report: 03-014 (PD03055/PW03028)
CM: April 23, 2003

Bill No. 208

CITY OF HAMILTON

BY-LAW NO. 03-208

To Adopt:

Official Plan Amendment No. 16 to the former Regional Municipality of Hamilton-Wentworth Official Plan;

Respecting:

8029 Twenty Road East

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 16 to the Official Plan of the Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 23rd day of July 2003.


MAYOR


CLERK

Amendment No. 16

to the

Official Plan of the Former Region of Hamilton-Wentworth Official Plan

The following Map No. 1, Regional Development Pattern, and Map No. 2, Agricultural Lands & Niagara Escarpment Plan Area, attached hereto, constitute Regional Official Plan Amendment No. 16.

Purpose:

The purpose of the Amendment is to:

1. Redesignate the subject lands from "Rural Area" to "Urban" on Map No. 1; and,
2. Remove the subject lands from the "Prime Agricultural Lands" designation.

Location:

The 16.5 ha of land affected by this Amendment are located the subject lands are located on the south side of Twenty Road East and East of Highway No. 6, municipally know as 8029 Twenty Road East.

Basis:

At its meeting of April 23, 2003, City Council approved an Official Plan Amendment which expands the Urban Boundary by including the subject lands. The basis of their decision was the ability to service 16.5 ha of land by gravity-fed sewers into the-existing wastewater sewer network.

Actual Change:

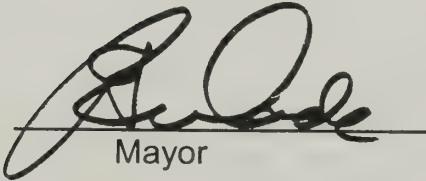
- a) That Map No. 1, Regional Development Pattern, of the Official Plan be revised by re-designating the subject lands from "Rural Area" to "Urban", as shown on the attached Map No. 1 of this Amendment.
- b) That Map No. 2, Agricultural Lands & Niagara Escarpment Plan Area, of the Official be revised by removing the subject lands from the "Prime Agricultural Lands", as shown on the attached Map No. 2 of this Amendment.

Implementation:

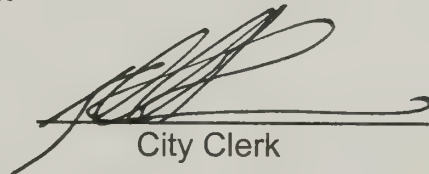
A Local Amendment to the former City of Stoney Creek will give effect to this Amendment.

This is Schedule "1" to By-law No. 03-208 passed on the 23rd day of July, 2003.

**The
City of Hamilton**



Mayor



City Clerk

MAP No. 1

Map No. 1
is the
Official Plan
for the
Township of Hamilton, Ontario
as amended
by the
Local Government from "Third Amendment"
to "Seventh Amendment"
by the
City of Hamilton
on the
17th day of July, 1983
at Hamilton
Ontario, Canada
1983 No. 148

REFERRAL No. 7

REFERRAL No. 5



URBAN AREAS

- Urban Area Boundary
- Urban
- Business Parks
- Regional Centre
- Mixed-use Centre
- High Density Mixed-use Corridors

RURAL AREAS

- Rural Area
- Rural Settlements

OTHER

- Parkway Belt West Policy Areas
- Special Policy Areas
- Airport
- Future Roadway
- Municipal Boundary

REGIONAL DEVELOPMENT PATTERN



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Development Department

MAP No. 2

Map No. 2 to the Official Plan for the Former Region of Hamilton-Wentworth		
Lands deleted from "Prime Agricultural Lands"		
Date: July 17 2003	Revised By: Al Fletcher	Reference File No.: ROPA No. 16(R)



LEGEND

PRIME AGRICULTURAL LANDS
(Canada Land Inventory Soil Classes 1,2,3&4)

SPECIALTY CROP AREAS

PARKWAY BELT
WEST POLICY AREAS

NIAGARA ESCARPMENT
PLAN AREA

AGRICULTURAL LANDS &
NIAGARA ESCARPMENT
PLAN AREA



THE RECORDS AUTHORITY OF THE MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS, ONTARIO

Map No. 1 is the Official Plan for the General Region of Hamilton-Wentworth	
Legend Lands designated from "Rural Area" to "Urban"	Date July 17, 2003
Drawn By All Planning	Reference File No. SOPA No. 1499

REFERRAL No. 7

REFERRAL No. 5

REFERRAL No. 1

Regional Municipality of Hamilton-Wentworth

West County



April 1998

URBAN AREAS

- Urban Area Boundary
- Urban
- Business Parks
- Regional Centre
- Mixed-use Centre
- High Density Mixed-use Corridors

RURAL AREAS

- Rural Area
- Rural Settlements

OTHER

- Parkway Belt West Policy Areas
- Special Policy Areas
- Future Roadway
- Municipal Boundary
- SPA
- Airport

REGIONAL DEVELOPMENT PATTERN



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Environment Department

Map No. 2
to the
Official Plan
for the Former Region
of Hamilton-Wentworth

 Lands deleted from "Prime
Agricultural Lands"

Date: July 17, 2003	Revised By: Al Fletcher	Reference File No.: ROPA No. 16(R)
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AGRICULTURAL LANDS &
NIAGARA ESCARPMENT
PLAN AREA



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
PLANNING AND DEVELOPMENT DEPARTMENT

LEGEND

-  PRIME AGRICULTURAL LANDS
(Canada Land Inventory Soil Classes 1,2,3&4)
 -  SPECIALTY CROP AREAS
 -  PARKWAY BELT
WEST POLICY AREAS
 -  NIAGARA ESCARPMENT
PLAN AREA*
- *For Details See Niagara Escarpment Plan, Map 3.

Bill No. 209

CITY OF HAMILTON

BY-LAW NO. 03-209

To Amend City of Hamilton By-Law No. 01-219

WHEREAS Section 11 of the Municipal Act, 2001, as amended, provides that a single-tier municipality may pass by-laws respecting matters within its sphere of jurisdiction;

AND WHEREAS the matters herein referred are within the sphere of jurisdiction of the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. City of Hamilton By-Law No. 01-219 shall be amended as follows:

(a) Section 1 (i) shall be deleted and replaced with the following:

1. (i) "Director" means the Director or Acting Director of Operations and Maintenance for the City and includes his designate and successor or the Director or Acting Director of any other City project on lands referred to in ss. 1 (r) of City of Hamilton By-Law No. 01-219 as amended.

(b) Section 1 shall be amended by adding the following to Section 1 (r):

For greater certainty, the provisions of By-Law No. 01-219, as amended, shall be deemed to apply to all open space lands, including road allowances shown on a registered plan of subdivision, required for the Red Hill Valley Project, until such time as the City declares otherwise.

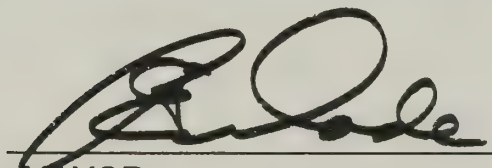
(d) Section 51 shall be deleted and replaced with the following:

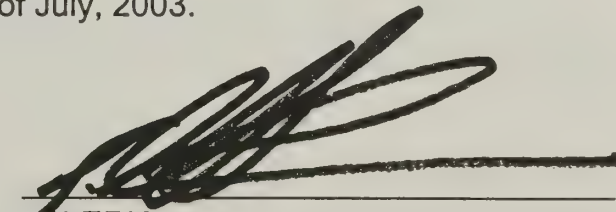
51. A Director is authorized for such temporary period or periods as the Director deems appropriate to close off or restrict access to any land or part or parts thereof referred to in ss. 1 (r) of By-Law No. 01-219 as amended to provide for or permit construction of works or undertakings in, on or through such lands as well as to provide for repairs, restoration, reconstruction or other remedial action with respect to parks, grounds or structures thereon.

(f) Section 53 shall be amended to add ss. 53(6) as follows:

53(6) In addition to those persons referred to in ss. 53 (1) to (3), an agent of the City, or a contractor or subcontractor of the City, and their agents, if designated by a Director, is authorized to carry out the functions described in those subsections.

PASSED and ENACTED this 23rd day of July, 2003.


MAYOR


CLERK

THE CITY OF HAMILTON

BY-LAW NO. 03-210

To Confirm the Proceedings of City Council at its special meeting held on July 23, 2003

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

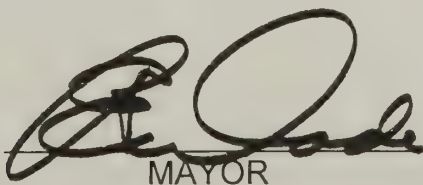
1. The Action of City Council at its meeting held on the 23rd day of July, 2003 in respect of each recommendation contained in:

Report 03-020 of the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 23rd day of July, 2003



MAYOR



CITY CLERK

CA4 ON HBL A08
B91

Authority: Item 19, Committee of the Whole
Report 03-015 (PD03113)
CM: May 28, 2003

Bill No. 211

City of Hamilton

BY-LAW NO. 03-211

MUNICIPAL DOCUMENT

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 34-36 HESS STREET SOUTH, CITY OF
HAMILTON**

As Property of:

ARCHITECTURAL VALUE

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

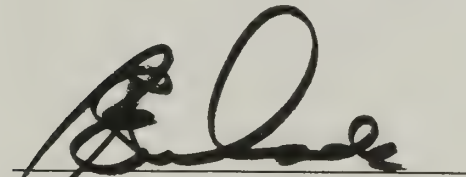
1. The property located at Municipal No. 34-36 Hess Street South, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of architectural value.

2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

WILSON

3. The City Clerk is hereby authorized and directed,
- (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and ENACTED this 13TH day of August, 2003.



Mayor

City Clerk

Schedule "A"
To
By-Law No. 03-211

34-36 Hess Street South
Hamilton, Ontario

FIRSTLY:

COMMENCING at a point on the westerly limit of Hess Street, distant 52 feet 31/2 inches southerly from the southwest corner of Hess and George Streets, and being a point opposite the middle of the dividing wall between houses numbers 34 and 36 Hess Street South;

THENCE westerly to and along the dividing wall between said houses numbers 34 and 36 Hess Street South, and the same continued and produced a distance of one hundred and thirty-two feet and eight inches (132' 8") more or less to a point;

THENCE southerly and parallel to the said westerly limit of Hess Street twenty-seven feet and eleven inches (27' 11") more or less to a point between said houses numbers 36 and 38 Hess Street South;

THENCE easterly to and along the dividing wall between houses number 36 and 38 Hess Street South and the same continued and produced a distance of one hundred and thirty-two feet and eight inches (132' 8") more or less to a point in the westerly limit of said Hess Street;

THENCE northerly along the westerly limit of Hess Street, twenty five feet and four and one-half inches (25' 4 1/2") more or less to the place of beginning.

On the lands described is erected dwelling, premises and appurtenances known as City Number 36 Hess Street South.

TOGETHER with a free and uninterrupted right of way for the mortgager, its successors and assigns, for ingress and egress in perpetuity in common with all others entitled hereto, through, over and along the rear ten feet of premises known as numbers 32 and 34 Hess Street South, being part of Lot number four on the south side of George Street in the block bounded by George, Hess, Main and Queen Streets, described as follows:

COMMENCING at a point on the southerly limit of George Street, distant one hundred and nineteen feet and six inches (119' 6") measured westerly from the southwest corner of George Street and Hess Street South;

THENCE in a westerly direction a distance of fifty-four feet and four inches (54' 4') to a point in the dividing line between houses number 36 and 34 Hess Street South, in the said City of Hamilton, which point is distant one hundred and twenty-one feet and four inches (121' 4") west from the westerly limit of Hess Street;

THENCE easterly along the said dividing line a distance of ten feet (10') to a point;

THENCE northerly and parallel to the westerly limit of the lands hereby mortgaged a distance of fifty-four feet and four inches (54' 4") more less to a point in the south limit of said George Street;

THENCE westerly along the said south limit of George Street, a distance of ten feet (10') to the place of beginning. The said right of way to be used by the owners and occupants of 34 and 36 Hess Street South, such owners and occupants of the said two properties to provide and maintain half the cost of the upkeep of the said right of way and provide a suitable surface for the passage of automobiles or other vehicles and shall keep and maintain the same in proper repair and condition.

SECONDLY:

COMMENCING at a point on the westerly limit of Hess Street and parallel to the easterly limit of said Lot Six distant twenty-six feet eleven inches (26' 11") southerly from the southwest corner of Hess Street and George Street being the northeast angle of said Lot number Six;

THENCE westerly to and along the dividing wall between houses numbers 32 and 34 Hess Street South and the same continued and produced a distance of one hundred and thirty-two feet eight inches (132' 8") more or less to a point;

THENCE southerly and parallel to the westerly limit of Hess Street twenty-seven feet eleven inches (27' 11") to a point on a line produced westerly between houses numbers 34 and 36 Hess Street South;

THENCE easterly to and along said party wall between houses 34 and 36 Hess Street South and the same produced a distance of one hundred and thirty-two feet eleven inches (132' 11") more or less to the westerly limit of Hess Street South;

THENCE northerly along the westerly limit of Hess Street twenty-five feet four and one-half inches (25' 4 ½") more or less to the place of beginning.

On the lands hereby mortgaged or intended so to be is erected the dwelling premises and appurtenances known as City Number 34 Hess Street South, in the City of Hamilton.

TOGETHER with a free and interrupted right of way for the mortgager, its successors and assigns, for ingress and egress in perpetuity in common with all other entitled thereto, through, over and along the rear ten feet of premises known as number 32 Hess Street South, being part of Lot number Four on the south side of George Street in the block bounded by George, Hess, Main and Queen Streets, described as follows:

COMMENCING at a point on the southerly limit of George Street, distant one hundred and nineteen feet and six inches (119' 6") measured westerly from the southwest corner of George Street and Hess street South;

THENCE in a southerly direction a distance of twenty-six feet and five inches (26' 5") to a point in the dividing line between the limits of the Mortgager and the lands to the north herein and known as municipal numbers 32 and 34 respectively Hess Street South in the said City of Hamilton, which point is distant one hundred and twenty-one feet four inches (121' 4") west from the westerly limit of Hess Street;

THENCE easterly along the said dividing line a distance of ten feet (10') to a point;

THENCE northerly along and parallel to the westerly limit of the lands hereby mortgaged a distance of twenty-six feet and five inches (26' 5") more or less to a point in the south limit of said George Street;

THENCE westerly along the said south limit of George Street, a distance of ten feet (10') to the place of beginning.

Schedule "B"
To By-law No. 03-211

34-36 Hess Street South
City of Hamilton

REASONS FOR DESIGNATION

Architectural Value

The architectural value of 34-36 Hess Street South is attributed to its Classical Revival architecture, pre-Confederation brick and stone construction and its contribution to the streetscape of Hess Street South.

The subject building, constructed as two semi-detached residential units *circa* 1853, comprises a brick structure with tooled limestone ashlar applied to the east façade. The building comprises six bays, both units having three bays each. The front façade and foundation are stone with a watertable above the foundation. The main floor windows and entrance doors are capped with triangular stone pediments with brackets. Classical hood moulds with brackets are situated atop the second floor windows. All of the windows have stone sills. The original entrances contain double leaf wood doors and transoms.

The side gable roof has chimneys at each end and side brick parapet walls extending slightly above the gable and roofline. The building has a box cornice with simple moulded wood fascia.

The Reasons for Designation apply to the front (east) elevation, the roof and forecourt including all entranceways, window openings, stairs and retaining walls together with construction materials of wood, tooled ashlar, brick and stone, and all associated building techniques.

Authority: Item 5, Hearings Sub-Committee
Report 03-025 (PD03154)
CM: July 9, 2003

Bill No. 212

CITY OF HAMILTON

MUNICIPAL DOCUMENT

BY-LAW NO. 03-212

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended
Respecting 226 Southcote Road,
Owned by Charles Firth**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

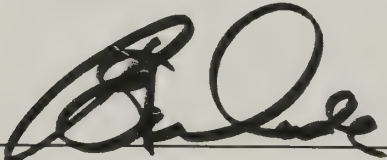
AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

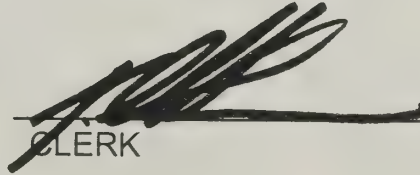
1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended;
 - (a) by changing from Deferred Development "D" Zone to Residential "R3" Zone.
2. The City Clerk is hereby authorized and directed to proceed with the giving of

notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 13th day of August, 2003.



MAYOR

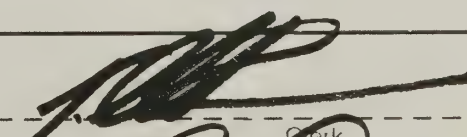
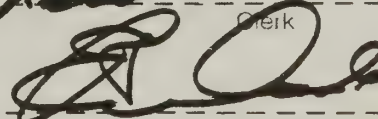


CLERK



This is Schedule "A" to By-Law No. 03—212

Passed the 13th day of August, 2003


Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-212

to Amend By-Law No. 87-57



Hamilton

Planning and Development Department

Legend



Subject Property

226 Southcote Drive

Lands to be rezoned from
Deferred Development "D" Zone
to Residential "R3" Zone

North



Scale
NOT TO SCALE

Date
May 21, 2003

Reference File No
ZAR-03-31

Drawn By
AF

CAH ON HBL A08
B91

Authority:

Item 7, Hearings Sub-Committee
Report 03-025 (PD03168)
CM: July 9, 2003

Bill No. 213

The City of Hamilton

BY-LAW NO. 03 -213

MUNICIPAL DOCUMENT

To Adopt:

Official Plan Amendment No. 185 to the former City of Hamilton Official Plan;

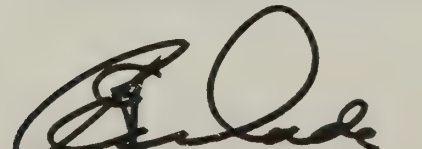
Respecting:

270 Stone Church Road East

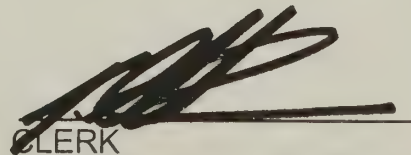
The Council of the City of Hamilton enacts as follows:

1. Amendment No. 185 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED and ENACTED this 13th day of August, 2003



MAYOR



CLERK

Schedule "1"

Amendment No. 185 to the Official Plan for the former City of Hamilton

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No.185.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from "Commercial" to "Residential".

Location:

The lands affected by this Amendment are located at 270 Stone Church Road East in the Barnstown Neighbourhood.

Basis:

The basis for permitting the proposed designation change is as follows:

- The amendment supports the general intent of the Official Plan and the Barnstown Neighborhood Plan.
- Sufficient commercial lands exist within the vicinity of the neighbourhood to serve the neighbourhood.
- The proposed residential development is compatible in scale and density with existing residential development in the area.

Actual Change:

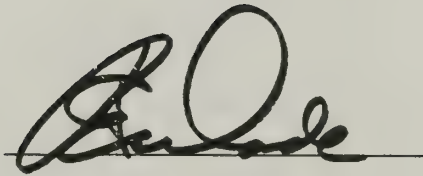
- 1) Schedule "A" - Land Use Concept of the Official Plan is hereby revised by redesignating the subject lands from "Commercial" to "Residential" as shown on the attached Schedule "A" of this Amendment.

Implementation:

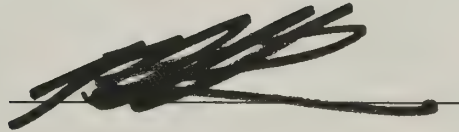
A Zoning By-Law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-213, passed on the 13th day of August 2003.

The City of Hamilton

A handwritten signature in black ink, appearing to be "B. Oude", written over a horizontal line.

Mayor

A handwritten signature in black ink, consisting of several overlapping strokes, written over a horizontal line.

Clerk

Schedule A Amendment No. OPA 185 to the Official Plan for the former City of Hamilton	
Legend  Lands to be redesignated from "Commercial" to "Residential"	Date: June 19, 2003
Reference File No. OPA 03-09(H)	Revised By: C. Newbold



land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- offices
- central policy zone
- special policy zone
- urban form
- sub-regional centre

- shipping and navigation zone
- special shipping and navigation zone

schedule A
to the official plan
for
the City of Hamilton

OPA 03-09

CA4 ON HBL A08
B91

Authority: Item 7, Hearings Sub-Committee
Report 03-025 (PD03168)
CM: July 9, 2003

Bill No. 214

CITY OF HAMILTON

BY-LAW NO. 03-214

MUNICIPAL DOCUMENT

To Amend Zoning By-law No. 6593
Respecting Lands Located at 270 Stone Church Road East

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 7 of Report 03-025 of the Hearings Sub-Committee at its meeting held on the 9th day of July, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

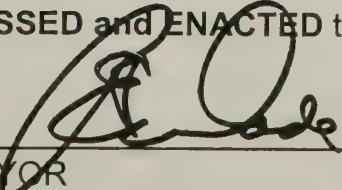
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 185 proposed by the City of Hamilton as By-law No. 03-213, but not yet approved in accordance with the provisions of the Planning Act.

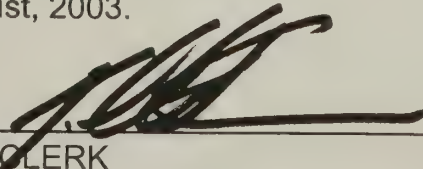
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-18C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "G-1" (Designed Shopping Centre) District, Modified to "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District,
- the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, are amended to the extent only of the special requirements that:
- (a) For the purposes of Subsection 4.(3)(b) of Zoning By-law No. 6593, a 6.0m wide private road and associated parking area within a Registered Plan of Condominium shall be considered a public highway;
- (b) Notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, a 0.0m side yard shall be permitted along the common wall lot line; and,
- (c) Notwithstanding Subsection 10.(4) of Zoning By-law No. 6593, the following provisions shall apply:
- 1) For single detached dwellings, a minimum lot width of 9.3m and lot area of 251m² shall be provided and maintained; and,
- 2) For each half semi-detached dwelling, a minimum lot width of 7.5m and lot area of 197m² shall be provided and maintained.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1044a.
5. Sheet No. E-18C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1044a.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 13th day of August, 2003.


MAYOR


CLERK



This is Schedule "A" to By-Law No. 03—214

Passed the 13th day of August, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-214
to Amend By-Law No. 6593



Hamilton

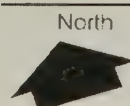
Planning and Development Department

Legend



Subject Property
270 Stone Church Road East

"Change in zoning from "G-1" (Designed Shopping Centre) District, Modified to "D" Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified"



North

Scale
NOT TO SCALE

Date
July 8, 2003

Reference File No.
ZAC-03-24

Drawn By
MC

Bill No. 215

CITY OF HAMILTON

BY-LAW NO. 03-215

To Establish:

Site Plan Control

Respecting:

Lands Located at 270 Stone Church Road East

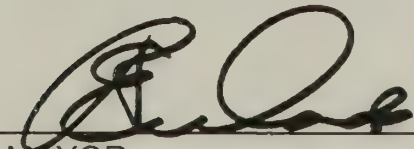
WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

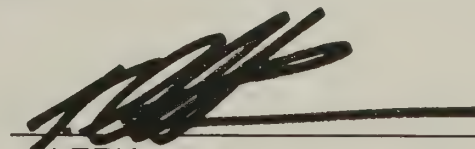
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 187. Section 2 of By-law No. 79-275, as amended, shall not apply to lands located at the southeast corner of Stone Church Road East and Upper Wellington Street known municipally as 270 Stone Church Road East, shown on Appendix 187 hereto annexed and forming part of this by-law.
2. Appendix 187 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED and ENACTED this 13th day of August, 2003.



MAYOR



CLERK

10.10.10.10



This is Schedule "A" to By-Law No. 03—215

Passed the 13th day of August, 2003

[Signature]
Clerk

[Signature]
Mayor

Appendix 187

To By-law No. 79-275
as Amended by By-law No. 87-223



Hamilton

Planning and Development Department

Legend



Lands designated under this By-law as an area of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

North 	Scale NOT TO SCALE	Reference File No. ZAC-03-24
	Date July 23, 2003	Drawn By MC

C44 ON HBL A08
391

Authority: Item 3, Hearings Sub-Committee
Report 03-007 (PD03020)
CM: February 26, 2003

Bill No. 216

CITY OF HAMILTON

BY-LAW NO. 03-216

MUNICIPAL DOCUMENT

To Establish:

Site Plan Control

Respecting:

Portions of Land Located at 271 Stone Church Road East

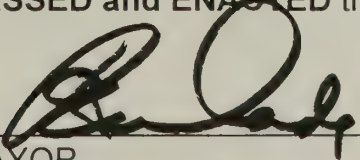
WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

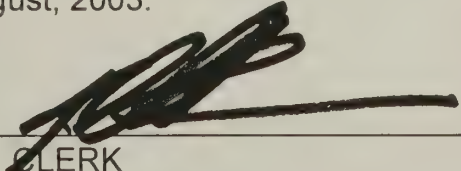
AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

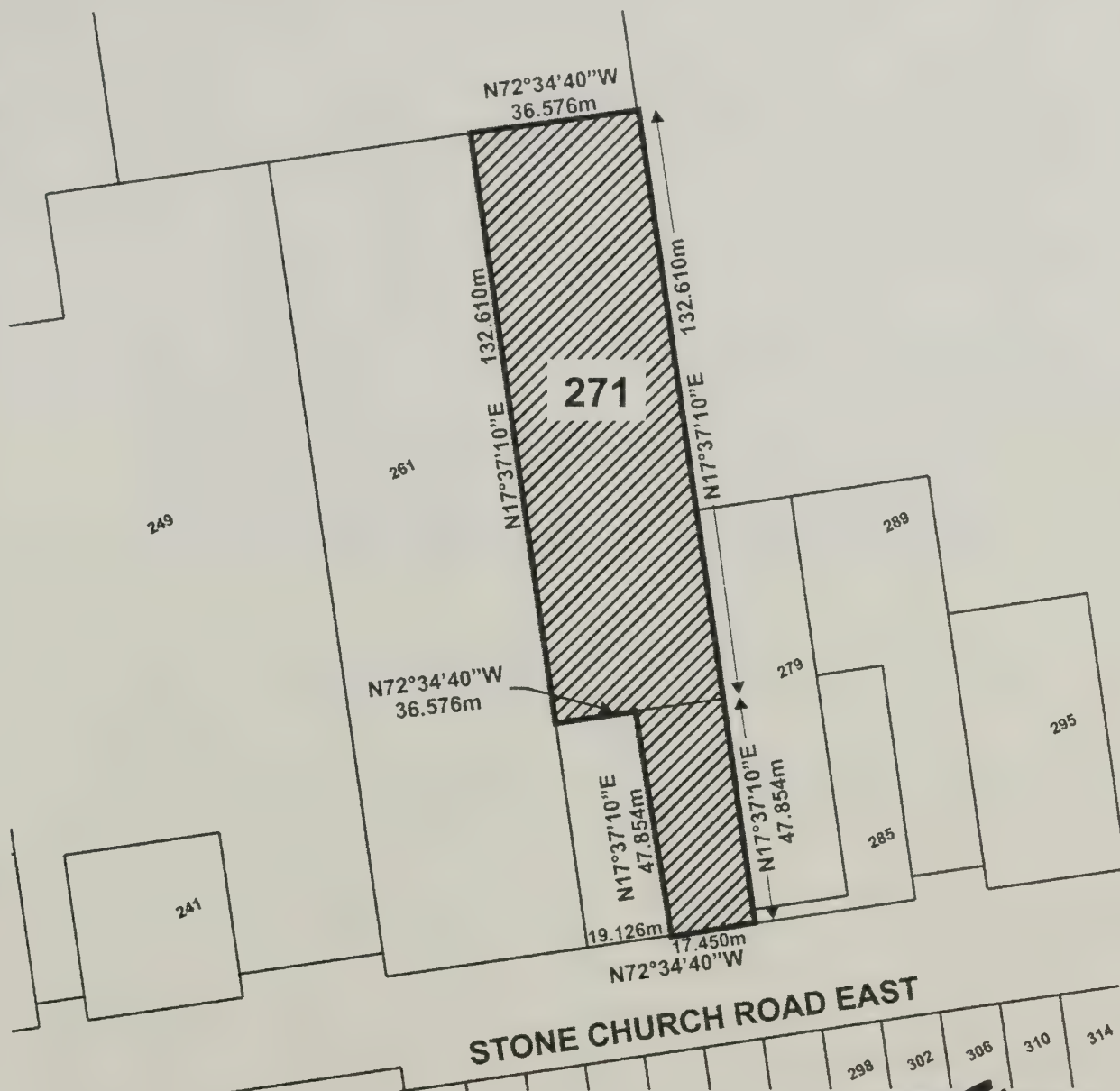
1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 188. Section 2 of By-law No. 79-275, as amended, shall not apply to portions of land located on the north side of Stone Church Road East between Upper Wellington Street and Distin Drive, known municipally as 271 Stone Church Road East, shown on Appendix 188 hereto annexed and forming part of this by-law.
2. Appendix 188 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED and ENACTED this 13th day of August, 2003.


MAYOR

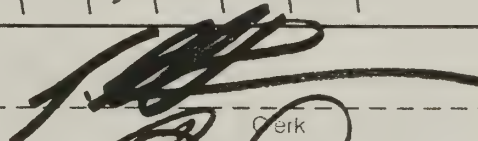
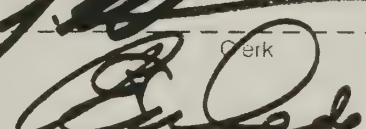

CLERK

THEORY OF THE



This is Schedule "A" to By-Law No. 03-216

Passed the 13th day of August, 2003


Clerk

Mayor

Appendix 188

To By-law No. 79-275
as Amended by By-law No. 87-223



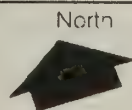
Hamilton

Planning and Development Department

Legend



Lands designated under this By-law as an area of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990.



Scale
NOT TO SCALE

Date
July 23, 2003

Reference File No
ZAC-02-79

Drawn By
AF

Authority: Item 4.1, City of Stoney Creek
Planning & Development Committee
Report 2000-06 (PD2000 – 55)
CM: June 13, 2000

Bill No. 217

CITY OF HAMILTON

MUNICIPAL DOCUMENT

BY-LAW NO. 03-217

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands located on Orr Crescent**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to establish special requirements under Subsection 6.3.7 and 11.2.5 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 7 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Open Space "OS" Zone to the Open Space "OS-7" and "OS-3" Zones, and Single Residential "R2-4" and "R2-51" Zones, the lands comprised of Part of Lot 15, Concession 3 (Saltfleet), the extent of boundaries of which are shown as Blocks 1 to 6 on a plan hereto annexed as Schedule "A".

2. That Subsection 6.3.7, "Special Exemptions" of Section 6.3, Single Residential "R2" Zone, of Zoning By-law No. 3693-92, be amended by adding a new special exemption, "R2-51", as follows:

**"R2-51 Lands located on the east side of Orr Crescent, Schedule "A",
Map No. 7**

In addition to the provisions of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-51" by this By-law, no development, including grading, shall occur within 7.5 metres, and no building or structure shall be erected within 12.5 metres, of the lands zoned Open Space "OS-7" Zone".

3. That Subsection 11.2.5, "Special Exemptions" of Section 11.2, Open Space "OS" Zone, of Zoning By-law No. 3693-92, be amended by adding a new special exemption, "OS-7", as follows:

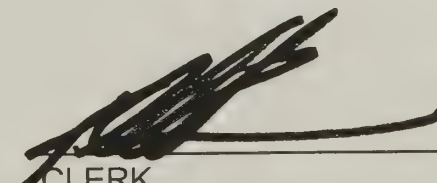
**"OS-7 Lands located on the east side of Orr Crescent, Schedule "A",
Map No. 7**

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-7" by this By-law shall only be used for uses existing at the date of passing of this By-law, in particular, conservation and woodlot".

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 13th day of August, 2003.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 03 — 217

Passed the 13th day of August, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-217
to Amend By-Law No. 3692-92

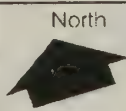


Hamilton

Planning and Development Department

Legend

- Block 1: Lands to be rezoned from the Open Space "OS" Zone to the Open Space "OS-7" Zone
- Block 2: Lands to be rezoned from the Open Space "OS" Zone to the Open Space "OS-3" Zone
- Block 3: Lands to be rezoned from the Open Space "OS" Zone to the Single Residential - Two "R2-4" Zone
- Block 4: Lands to be rezoned from the Open Space "OS" Zone to the Single Residential - Two "R2-51" Zone
- Block 5: Lands to remain Open Space "OS-1" Zone
- Block 6: Lands to remain Open Space "OS-3" Zone



Scale
NOT TO SCALE

Date
June 26, 2003

Reference File No.
075-1524

Drawn By
MC

CA4 ON HBL A08
B91

Authority: Item 5, Committee of the Whole
Report 03-021 (PW03098)
CM: August 13, 2003

Bill No. 218

**CITY OF HAMILTON
BY-LAW NO. 03-218
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

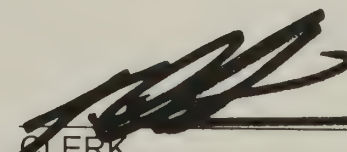
1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"MacLennan Eastbound Shadyside."
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 13th day of August, 2003



MAYOR



CLERK

CAH ON HBL A08
B91

Authority: Item 6, Committee of the Whole
Report 03-021 (PW03099)
CM: August 13, 2003

Bill No. 219

CITY OF HAMILTON
BY-LAW NO. 03-219
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

MUNICIPAL DOCUMENT

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

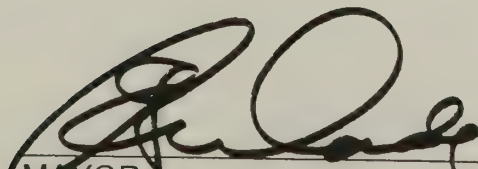
AND WHEREAS it is necessary to amend By-law No. 01-215;

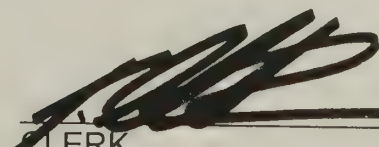
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Dewitt	Northbound and Southbound	Arvin"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 13th day of August, 2003


MAYOR


CLERK

UNCLASSIFIED (U) (S) (NF)

CAH ON HBL A08
B91

Authority: Item 42, Committee of the Whole
Report 03-021 (PW03097)
CM: August 13, 2003

Bill No. 220

**CITY OF HAMILTON
BY-LAW NO. 03-220
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

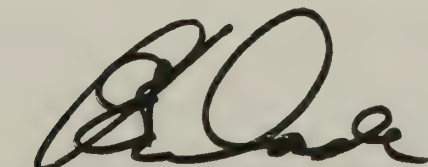
"Queensdale	Upper Ottawa	East 43 rd Street	40
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and by adding to Section "F" thereof the following item, namely.

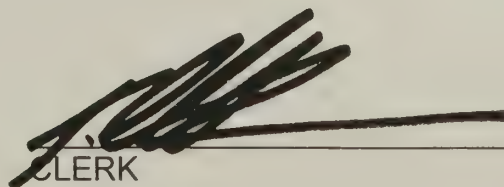
Paramount	30 m north of Mistywood	80 m north of Audubon St. N.	40"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 13th day of August 2003



MAYOR



CLERK

CAN ON HBL A08
B91

Authority: Item 46, Committee of the Whole
Report 03-021 (PW03108)
CM: August 13, 2003

Bill No. 221

CITY OF HAMILTON
BY-LAW NO. 03-221
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

MUNICIPAL DOCUMENT

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

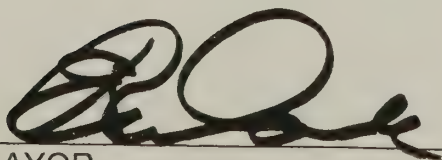
AND WHEREAS it is necessary to amend By-law No. 01-215;

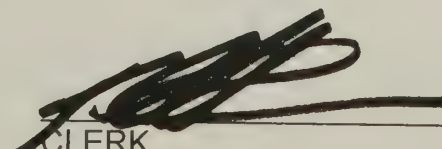
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 29 (Weight Restriction on Bridges) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"MacNab Street Railway at Strachan Street West Pedestrian Access Only
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 13th day of August, 2003


MAYOR


CLERK

Bill No. 222

City of Hamilton

BY-LAW No. 03-222

MUNICIPAL DOCUMENT

Respecting:

**THE EXTENSION OF BY-LAW NO. 02-233
FOR THE REMOVAL OF PART LOT CONTROL**

**FOR LANDS WITHIN
"FIFTY ROAD JOINT VENTURE – Phase 1" — PLAN 62M-950**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Corporation of the City of Hamilton passed By-law No. 02-185 to exempt lands within the "Fifty Road Joint Venture – Phase 1" Subdivision, Plan 62M-950 from Part Lot Control;

AND WHEREAS in accordance with Subsection 7.4 of Section 50 of the Planning Act, By-law No. 02-185 expires on June 30, 2003;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law. --** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval. --** An approval under subsection (7.1) is not required if the council that passes a by-law under

10/10/2019 14:00:00

subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the City of Stoney Creek;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 3 of By-law No. 02-233 is hereby repealed and the following substituted therefore:
 - "3. Other than Parts 4,5,6,7,8,9 and 10, of Reference Plan 62R-16234 and Parts 1,8,9,20 and 21, of Reference Plan 62R-16205, being Parts of Blocks 155 and 159 of Registered Plan Number 62M-950, in the City of Hamilton (Stoney Creek), this By-law shall no longer be of any force

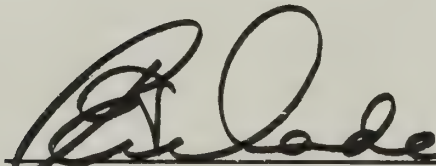
By-law to remove a portion of
"Fifty Road Joint Venture – Phase 1"
Plan 62M-950 from Part Lot Control

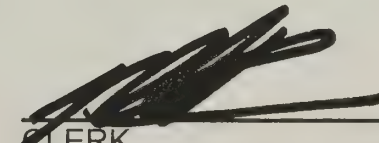
- 3 -

and effect. As it relates to Parts 4,5,6,7,8,9 and 10, of Reference Plan 62R-16234 and Parts 1,8,9,20 and 21, of Reference Plan 62R-16205, being Parts of Blocks 155 and 159 of Registered Plan Number 62M-950, in the City of Hamilton (Stoney Creek), for the purpose of permitting the sale of six (6) street townhouse dwellings and to allow for six (6) maintenance easements, this By-law expires on August 31, 2005."

2. This by-law shall be registered on title to the said land described in Section 1, and shall come into force and effect on the date of such registration.

PASSED and ENACTED this 13th day of August, 2003.


MAYOR


CLERK

C44 ON HBL A08
B91

Authority: Item 14, Committee of the Whole
Report 03-021 (PD03187)
CM: August 13, 2003

Bill No. 223

THE CITY OF HAMILTON

BY-LAW NO 03-223

TO AMEND BY-LAW 01-084

**BEING A BY-LAW TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS
FOR THE CITY OF HAMILTON**

WHEREAS Section 15(1) of the Police Services Act R.S.O. 1990, c.P.15, as amended, authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality;

AND WHEREAS Section 227 of the Municipal Act, S.O. 2001, c.25, as amended, provides that it is the role of the officers and employees of the municipality to implement council's decisions and to carry out other duties assigned by the municipality;

AND WHEREAS Section 428 of the Municipal Act, as amended, provides that where a municipality has a power of entry under the Act, the power shall be exercised by an employee or agent of the municipality;

AND WHEREAS the Council of the City of Hamilton, on the 15th day of May 2001, did pass and enact By-law No. 01-084, being a by-law to appoint Municipal Law Enforcement Officers for the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 01-084;

NOW, THEREFORE, the Council of the City of Hamilton enacts as follows:

1. Schedule A of By-law No. 01-084 is hereby amended by adding thereto the following names:

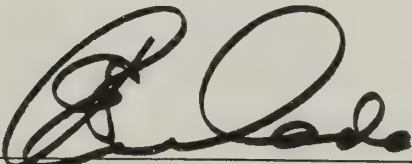
"Juanita Flokstra
Rory McNulty
Lionel Downes"

And by revoking the following name:

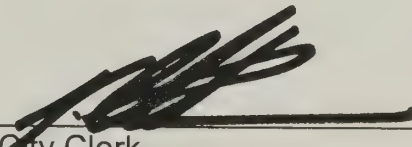
Francis Caprice

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-084, including the Schedule thereto, is hereby confirmed unchanged.
3. This By-law shall come into force and effect on the date of its passing and enactment.

PASSED AND ENACTED this 13th day of August, 2003



Mayor



City Clerk

Authority: Item 1, Hearings Sub-Committee
Report 03-027 (PD03188)
CM: August 13, 2003

Bill No. 224

CITY OF HAMILTON

BY-LAW NO. 03-224

MUNICIPAL DOCUMENT

**To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands located in Part of Lot 5, Concession 5,
in the South Mount Hope Draft Plan of Subdivision 25T-200301**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

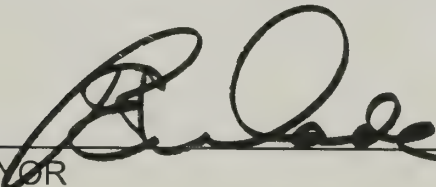
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "F", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the Deferred Development "DD" Zone to the Residential "R4" Zone, the land comprised of the subject property, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

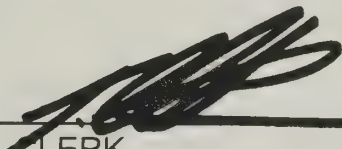
147-116. 10/25/12

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

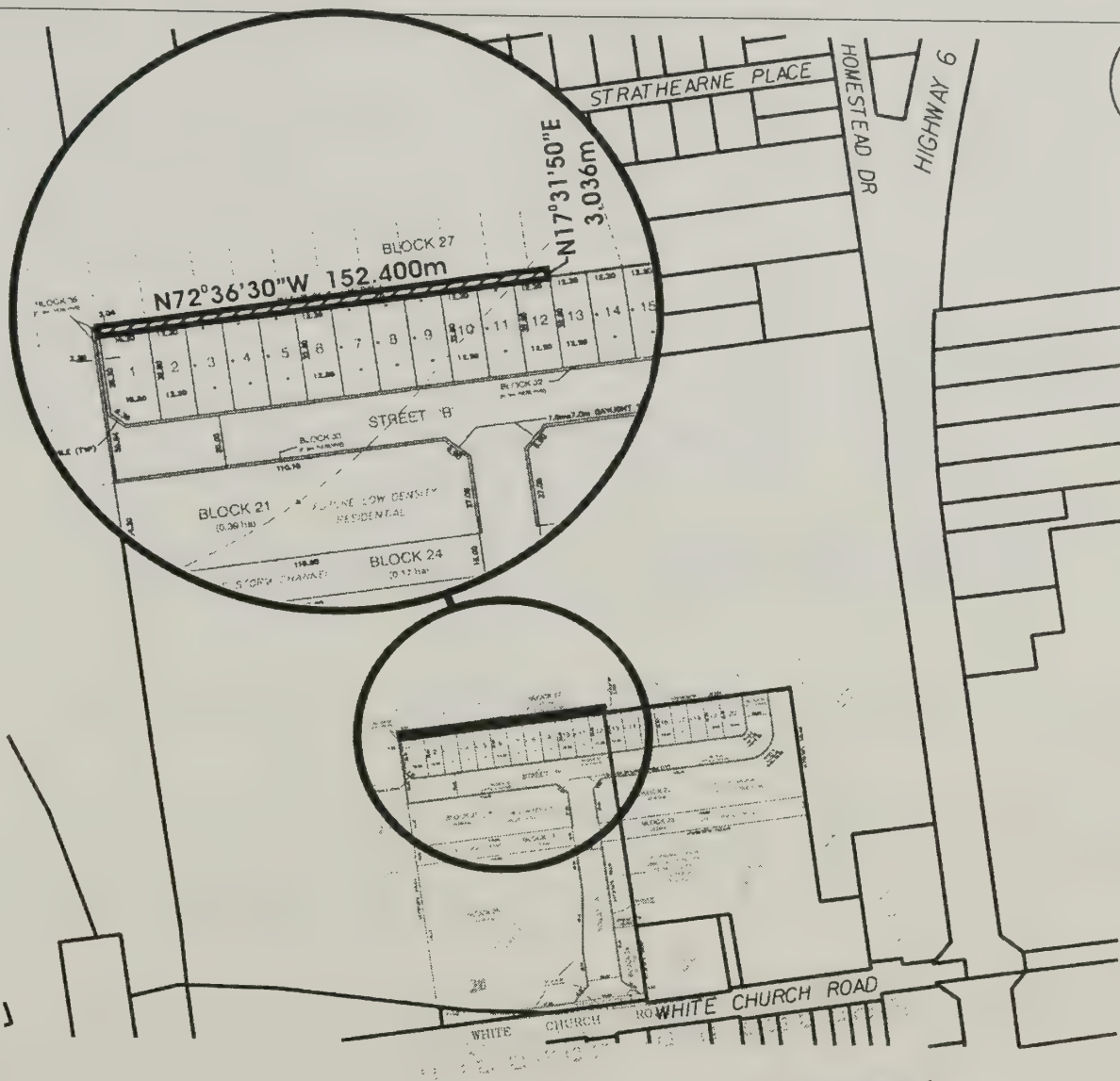
PASSED and ENACTED this 13th day of August, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03-224

Passed the 13th day of August, 2003

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-224
to Amend By-Law No. 464



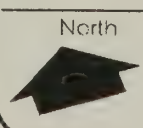
Hamilton

Planning and Development Department

Legend



Subject Property
To be rezoned from the Deferred Development
"DD" Zone to the Residential "R4" Zone.



North

Scale
NOT TO SCALE

Date
July 10, 2003

Reference File No.
ZAR-03-56

Drawn By
NM

CA4 ON HBL A08
B91

Authority: Item 4, Hearings Sub-Committee
Report 03-022 (PD03138)
CM: August 13, 2003

Bill No. 225

CITY OF HAMILTON

MUNICIPAL DOCUMENT

BY-LAW NO. 03-225

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 166 Carlisle Road (Flamborough)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1991;

AND WHEREAS in accordance with the Planning Act, R.S.O., 1990, section 39, Council may pass-by-laws authorizing the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by the zoning by-law;

AND WHEREAS the Council of the City of Hamilton deems it advisable, pursuant to the provisions of this By-law and the occupancy agreement required by this by-law, to permit the temporary use of the land shown on Schedule "A" to this By-law, as a garden suite, on several conditions, including the condition that the owner of the said land have entered into an agreement with and satisfactory to the municipality, as authorized by the Municipal Act, section 207.2;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule No. "A-4" attached to and forming part of Zoning By-law No.90-145-Z (Flamborough), is hereby amended by changing the zoning from Agriculture 'A' to Agriculture 'A-75', those lands being 166 Carlisle Road, and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.

2. Section 33.3 – Agriculture "A" Zone is hereby amended by adding the following subsection:

33.3 EXCEPTION NUMBERS

33.3.75 'A-75' (See Schedule A-4)

Permitted Uses

- (a) Garden Suite for a ten (10) year period commencing on August 13, 2003 and expiring on August 13, 2013.

A 'garden suite' means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

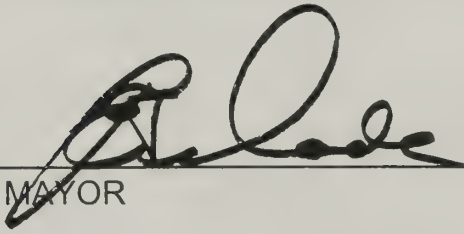
- (b) Any use permitted in an 'A' Zone.

Zone Provisions

- (a) All the zone provisions of Subsection 33.2 Agriculture, 'A' Zone shall apply.

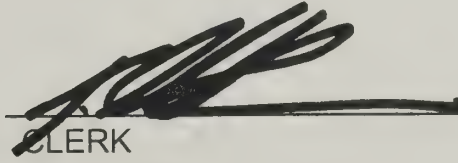
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 13th day of August, 2003 .



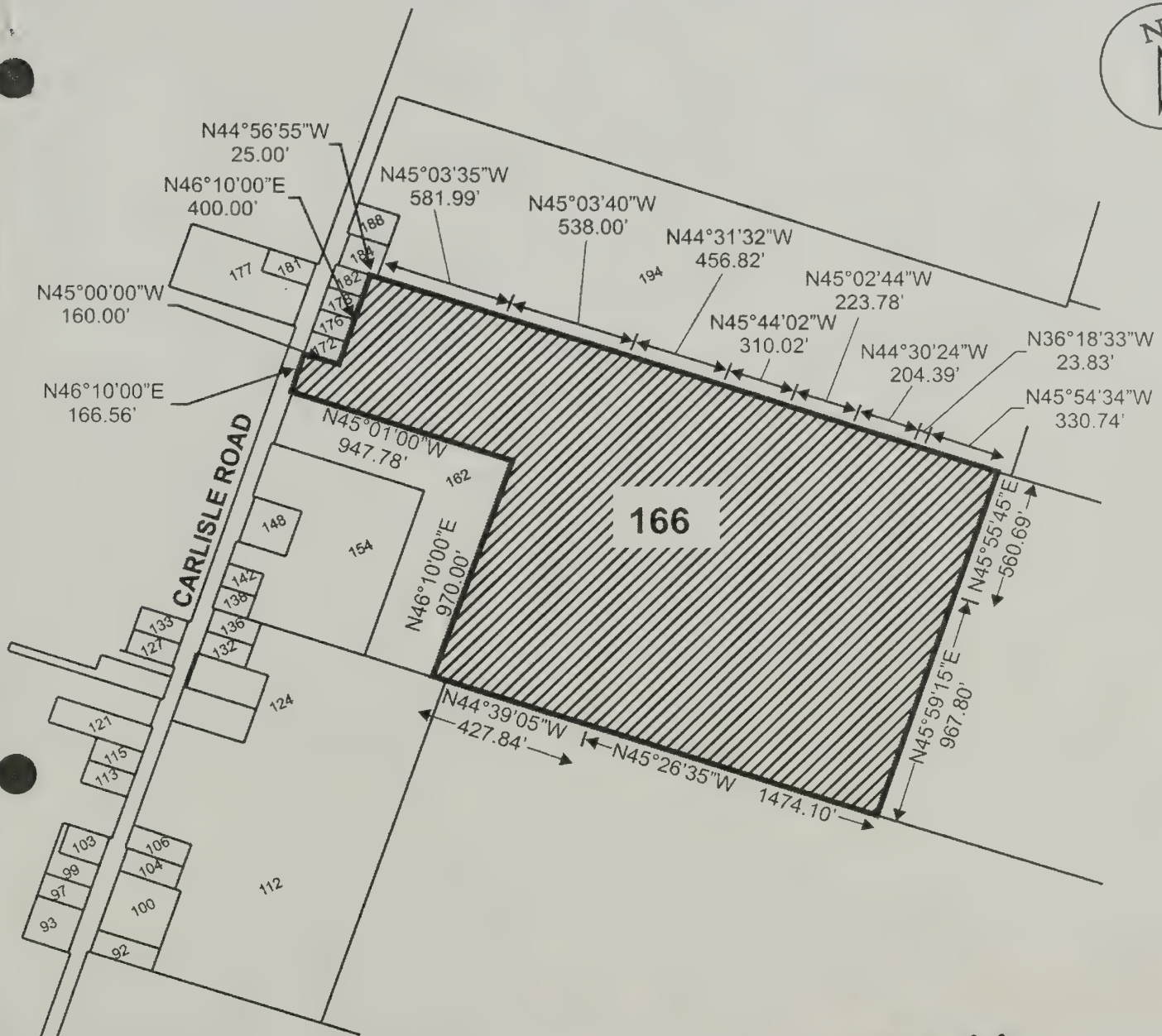
A stylized, handwritten signature in black ink, featuring a large, prominent loop at the beginning and a series of smaller loops and strokes extending to the right.

MAYOR



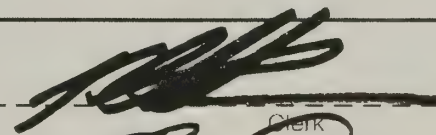
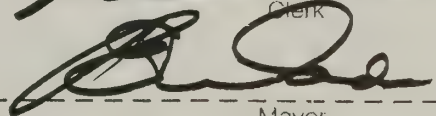
A handwritten signature in black ink, consisting of several bold, sweeping strokes that form a series of peaks and valleys, ending with a long horizontal line.

CLERK



This is Schedule "A" to By-Law No. 03 — 225

Passed the 13th day of August, 2003


Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-225
to Amend By-Law No. 90-145-Z



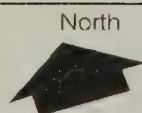
Hamilton

Planning and Development Department

Legend



Subject Property
166 Carlisle Road
Modification in Zoning from
an Agricultural "A" Zone to
an Agricultural "A-75" Zone.



Scale
NOT TO SCALE

Date
August 07, 2003

Reference File No.
ZAR-03-32

Drawn By
AF

CA4 ON HBL A08
391

Authority: Item 12, Committee of the Whole
Report 01-003 (PD01184)
CM: October 16, 2001

Bill No. 226

City of Hamilton

BY-LAW No. 03-226

MUNICIPAL DOCUMENT

Respecting:

**REMOVAL OF PART LOT CONTROL
WITHIN A PORTION OF
"Hillview Estates" — PLAN 62M-789**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

By-law Respecting the exemption of lands from part lot control
"Hillview Estates", Plan 62M-789

2

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

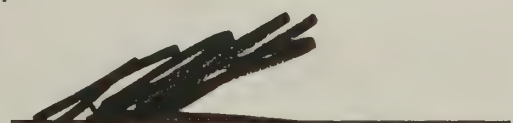
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of lot boundary adjustments for Lots 1 and 2, shall not apply to the following lands:

Lots 1 and 2, Registered Plan Number 62M-789, in the former Town of Dundas.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which this By-law remains in force, shall expire on the following specified date: August 13, 2005

PASSED and ENACTED this 13th day of August, 2003.


MAYOR


CLERK

CA4 ON HBL A08
B91

Authority: Item 22, Committee of the Whole
Report 03-021 (PD03206)
CM: August 13, 2003

Bill No. 227

CITY OF HAMILTON

MUNICIPAL COUNCIL

BY-LAW NO. 03-227

**To Amend Zoning By-law No. 6593, as amended by Zoning By-law No. 01-236,
Respecting Lands Located at 1428 Upper James Street**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

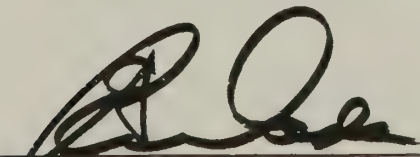
AND WHEREAS the Council of the City of Hamilton, in adopting Item 22 of Report 03-021 of the Committee of the Whole at its meeting held on the 13th day of August, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

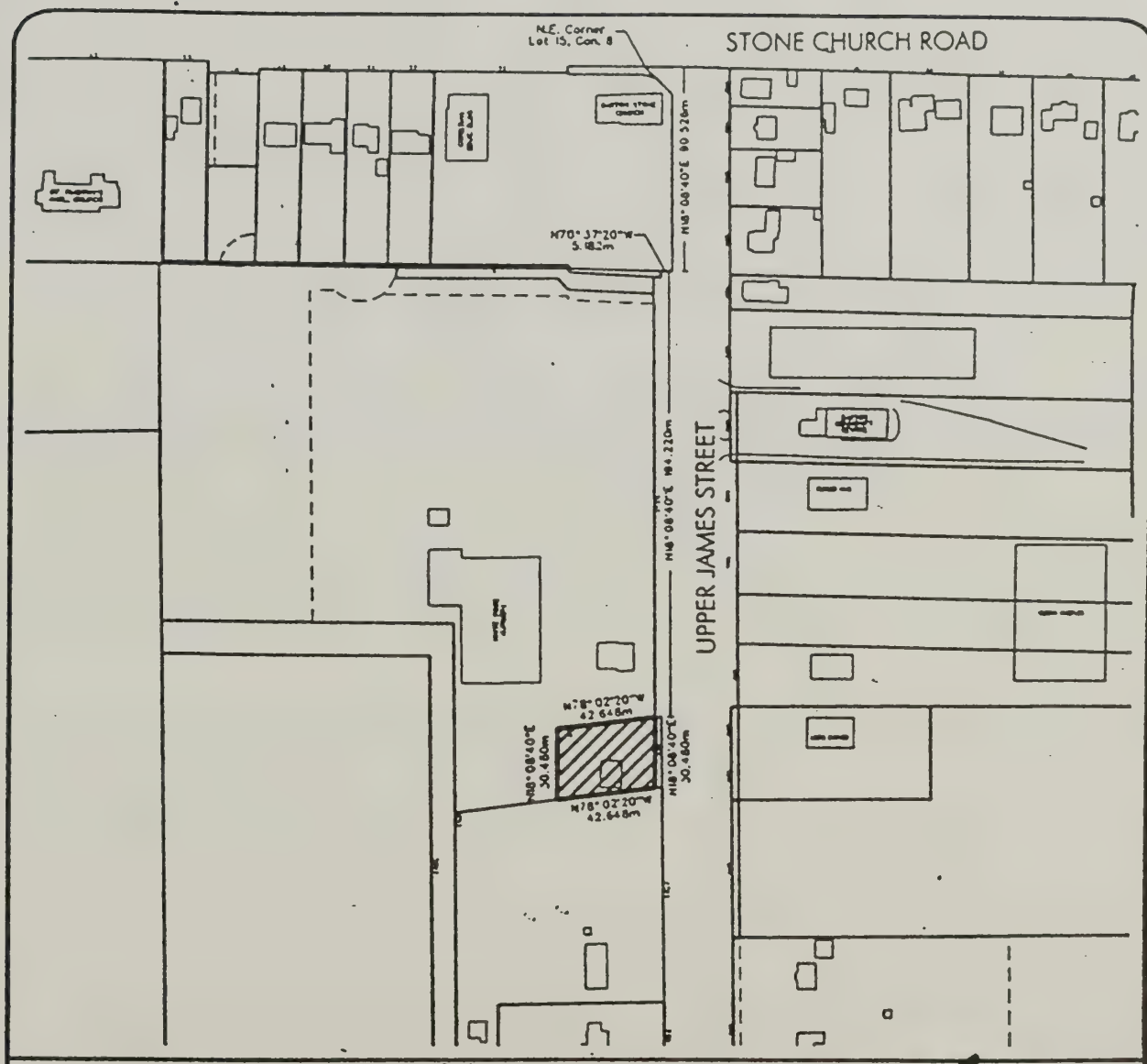
1. The 'H' (Holding) symbol affixed by By-law No. 01-236 (Hamilton), passed on the 16th of October, 2001, to the "H"- 'H' (Community Shopping and Commercial, etc. - Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 01-236 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "H" (Community Shopping and Commercial, etc.) District, provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 01-236 (Hamilton).
2. Sheet No. W-9c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 01-236, is further amended, by changing from "H"- 'H' (Community Shopping and Commercial, etc. - Holding) District, to "H" (Community Shopping and Commercial, etc.) District, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" (Community Shopping and Commercial, etc.) District provisions, subject to the special requirements referred to in section 3 of By-law No. 01-236.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1458a.
5. Sheet No. W-9c of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1458a.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 13th day of August, 2003.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 03 — 227

Passed the 13th day of August, 2003

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 03-227
 to Amend By-Law No. 6593



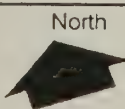
Hamilton

Planning and Development Department

Legend

Subject Property
 1428 Upper James Street

Change in Zoning from "H"-H'
 Community Shopping and
 Commercial, etc.) District, Holding
 to "H" (Community Shopping
 and Commercial, etc.) District



North

Scale
 NOT TO SCALE

Date
 August 7, 2003

Reference File No.

Drawn By
 MC

CA4 ON HBL A08
B91

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: August 13, 2003

Bill No. 228

CITY OF HAMILTON

BY-LAW NO. 03-228

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 4 (Special Event Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Maple Gate Drive	Highway 8 to Parkmanor Drive
Millikin Drive	Highway 8 to Parkmanor Drive
Parkmanor Drive	Silverlace Circle to easterly end of Parkmanor Drive
Silverlace Circle	Park Manor Drive clockwise to Parkmanor Drive
Yellowwood Drive	Winona Road to Silverlace Circle
Napa Lane	Barton Street to Sonoma Lane
Sonoma Lane	Winona Road to easterly end of Sonoma Lane

Benziger Lane

Sonoma Lane to Napa Lane"

2. Section 1 of this By-Law shall come into force and take effect at 4:00 p.m. on the 22nd day of August, 2003, and shall be repealed and no longer in force and effect at 1:00 a.m. on the 25th day of August, 2003.
3. Schedule 4 (Special Event Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Anson Drive	End to End
Bush Drive	End to End
Gabel Court	End to End
Garden Avenue	End to End
Milne Court	End to End
Miller Drive	End to End
Roselawn Avenue	End to End
Brooks Road	End to End
Calvin Street	End to End
Elgin Place	End to End
Enmore Avenue	End to End
Hatton Drive	End to End
Mapledene Avenue	End to End
Robina Road	End to End
Woodworth Drive	End to End
St. Ann's Court	End to End
Cameron Drive	End to End

Douglas Road	End to End
Ravina Crescent	End to End
Ravina Court	End to End
Rosemary Lane	End to End
St. Margaret Road	End to End
Lovers Lane	Sulphur Springs Road to Jerseyville Road
Harrington Place	End to End
Maureen Avenue	End to End
Greenfield Drive	End to End
Park Lane	End to End
Judith Crescent	End to End
Catherine Court	End to End
Mansfield Drive	End to End
Reding Drive	End to End
Dalley Drive	End to End
Irma Court	End to End
Cait Court	End to End
Sulphur Springs Road	Lovers Lane to Wilson Street
Jerseyville Road	Fiddler's Green Road to Wilson Street
Rosseaux Street	End to End
Mohawk Road	Rosseaux Street to McNiven Road
McNiven Road	Mohawk Road to Golf Links Road
Southcote Road	Golf Links Road to Brock Road

Garner Road	Fiddler's Green Road to Glancaster Road
Glancaster Road	Garner Road to Book Road
Book Road	Glancaster Road to Fiddler's Green Road
Kitty Murray Lane	Garner Road to Holkham Avenue
Smith Road	End to End
Springbrook Avenue	End to End
Fiddler's Green Road	Book Road to Jerseyville Road
Halsen Street	End to End
Golf Links Road	McNiven to westerly end of Golf Links Road
Golf Dale Place	End to End
Church Street East	End to End
Lodor Street	End to End
Academy Street	End to End
Lorne Avenue	End to End
Brookside Avenue	End to End
Brookdale Drive	End to End
Clarendon Drive	End to End
Hillcrest Court	End to End
Lowden Avenue	End to End
Cedargrove Court	End to End
Tuscarora Drive	End to End
Tomahawk Crescent	End to End
Old Oakes Place	End to End

Charterhouse Crescent	End to End
Orton Avenue	End to End
Orton Place	End to End
Seymour Drive	End to End
Alterra Boulevard	End to End
Viscount Place	End to End
Chancery Drive	End to End
Peppertree Crescent	End to End
Bunting Place	End to End
Roymor Place	End to End
Hostein Drive	End to End
Evergreen Avenue	End to End
Pine Street	End to End
Elm Hill Boulevard	End to End
Dorval Drive	End to End
McNeil Place	End to End
Lynda Lane	End to End
West Crest	End to End
East Crest	End to End
South Crest	End to End
Middle Crest	End to End
Alma Lane	End to End
Annalee Drive	End to End

Appleby Road	End to End
Calder Street	End to End
Gray Court Drive	End to End
Greenbriar Road	End to End
Harmony Hall Drive	End to End
Harmony Road	End to End
Heather Hill Court	End to End
John Frederick Drive	End to End
Lima Court	End to End"

4. Section 3 of this By-Law shall come into force and take effect at 7:00 a.m. on the 1st day of September, 2003, and shall be repealed and no longer in force and effect at 11:59 p.m. on the 7th day of September, 2003.

5. Schedule 3 (Through Highways – No Parking Prohibitions in Effect) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

"King Street	Eastern limit of Main Street	Former Dundas-Flamborough Boundary
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and by deleting from Section "B" thereof the following item, namely:

"King Street	Eastern limit of Main	Former Dundas-Flamborough"
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6. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting Section "A" in its entirety, and by substituting in its place thereof the following item, namely:

"Osprey Drive	North from 120m east of Sandhill Drive to 12m easterly	1 hr 8 am – 6 pm Anyday"
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and by adding to Section "E" thereof the following items, namely:

"Albert	West	Main to Maplewood	2 hr	Anytime	Anyday
Bendamere	Both	Garth to the western intersection with Briarwood	3 hr	Anytime	Anyday
Ray	West	King to Napier	2 hr	9 am – 10 pm	Mon - Sat"

and by deleting from Section "E" thereof the following items, namely:

"Ray	West	from 12.4m south of	2 hr	8 am – 6 pm	Mon – Fri
Ray	West	King to Market	2 hr	9 am – 10 pm	Mon - Sat"

7. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Academy St.	Both	Wilson St. to Lodor St.	Anytime
Ontario St.	Both	end to end	Anytime
Osprey Dr.	North	from 100m east of Sandhill Dr. to 20m easterly	Anytime
Osprey Dr.	North	from 132m east of Sandhill Dr. to the easterly end of Osprey Dr.	Anytime
Osprey Dr.	South	from 100m east of Sandhill Dr. to the easterly end of Osprey Dr.	Anytime"

and by deleting from Section "A" thereof the following items, namely:

"Academy St.	South	Wilson St. E. to Lodor St.	Anytime
Academy St.	North	Wilson St. E. to 352 ft. Easterly	Anytime
Osprey Dr.	Both	from the easterly limit of Osprey Dr to 65m westerly	Anytime"

and by adding to Section "D" thereof the following item, namely:

"Guyatt Road	North	Fletcher Road to Hendershot Road	Anytime"
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and by adding to Section "E" thereof the following items, namely:

"Albert	East	Main to Maplewood	Anytime
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Cranbrook	South	Courtland to westerly end of Cranbrook	Anytime
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Crosthwaite	West	from 31.4m north of Main to 6.7m northerly	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Crosthwaite	East	Main to 150 ft. south	Anytime
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Crosthwaite	West	from 103 ft. north of Main to 22 ft. north	Anytime"
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and by adding to Section "F" thereof the following items, namely:

"Highland Road West	South	from 66.8m west of the extended west curb line of Glenhollow Drive to 121m westerly	Anytime
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Lincoln Road	West	from 33.8m south of Carpenter Avenue to 62.8m southerly	8:00 a.m. to 4:30 p.m." Monday to Friday
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and by deleting from Section "F" thereof the following item, namely:

"Highland Road West	South	101.9m west of the extended west curb line of Glenhollow to 86m westerly	Anytime"
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8. Schedule 10 (Alternate Side Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Crosthwaite Avenue From 22.5m north of Main Street to Cannon Street	East	West"
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and by deleting from Section "E" thereof the following items, namely:

"Albert Street	West	East
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Maplewood Avenue to Main Street East

Crosthwaite Avenue	East	West
Main to Cannon		

Rosemont Avenue	South	North"
Sherman Avenue North to Lottridge Street		

9. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Clinton	South	commencing 27 feet east of Sherman and extending 20 feet easterly therefrom	Anytime"
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10. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Robina Rd.	Both	from the extended south curb line of Ravina Cr. to 31.5m north of the the extended north curb line of Brooks Rd.	8:30 a.m. to 4:30 p.m. Monday to Friday
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Southcote Dr.	Both	Southerly terminus of cul-de-sac, south of Book Rd.	Anytime"
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and by adding to Section "E" thereof the following items, namely:

"Catharine	West	Rebecca to Main	4:00 p.m. to 6:00 p.m. Monday to Friday
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Crosthwaite	West	Main to 31.4m northerly	Anytime
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Crosthwaite	East	from 22.5m north of Main to 15.2m northerly	Anytime
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Grays	East	Frances to 24.7m northerly	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Catharine	West	Rebecca to Main	Mon. – Fri. 7:00 am – 9:00 am 4:00 pm – 6:00 pm
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Crosthwaite West	Main to 76 ft. north	Anytime
Crosthwaite East	from 76 ft. north of Main to 27 ft. northerly	Anytime"

and by adding to Section "F thereof the following items, namely:

"Lincoln Road	West	Carpenter Avenue to 33.8m southerly	Anytime
Lincoln Road	West	from 135.9m south of Carpenter Avenue to 38.9m southerly	8:00 a.m. to 4:30 p.m."

and by deleting from Section "F" thereof the following Items, namely:

"Arvin Avenue	South	Approximately 300m east of DeWitt Road	Anytime
Arvin Avenue	South	Southwest corner of Fruitland Road.	Anytime
Centennial Parkway	West	Northwest corner of Pleasant Avenue	Anytime
Centennial Parkway	East	Point approximately 57m north of King Street West	Anytime
Centennial Parkway	East	Southeast corner of Glenview Drive	Anytime
Centennial Parkway	East	Northeast corner of Neil Avenue	Anytime
Centennial Parkway	West	Approximately 40m north of Felker Avenue	Anytime
Centennial Parkway	West	Northwest corner of Orlanda Avenue	Anytime
Centennial Parkway	East	Northeast corner of Neil Avenue	Anytime
Centennial Parkway	East	At 60 Centennial Parkway	Anytime
Centennial Parkway	West	North of Queenston Road	Anytime
Centennial Parkway	East	At Queenston Road	Anytime
DeWitt Road	East	Approximately 50m south of Arvin Avenue	Anytime

Gatestone Drive	West	At northwest corner of Highland Road	Anytime
Gordon Drummond Avenue	North	Opposite Gordon Drummond Avenue	Anytime
Gordon Drummond Avenue	South	Southwest corner of Gordon Drummond Avenue	Anytime
Gordon Drummond Avenue	South	Southwest corner of Isaac Brock Drive	Anytime
Gordon Drummond Avenue	North	Northwest corner of Isaac Brock Drive	Anytime
Gordon Drummond Avenue	North	Northeast corner of Marston Street	Anytime
Highbury Drive	East	Opposite Slinger Avenue	Anytime
Highbury Drive	South	At southwest corner of foxmeadow Drive	Anytime
Highbury Drive	South	At Southwest corner of Whitedeer Road	Anytime
Highbury Drive	South	Southeast corner at Highland Road	Anytime
Highland Road West	North	At northeast corner of Gatestone Drive	Anytime
Highland Road West	North	A point 30 metres west of Aubrey Avenue	Anytime
Highland Road West	North	Northeast corner, 8.0m east of the east curb line of First Road West	Anytime
Isaac Brock Drive	North	Northwest corner of John Murray Street	Anytime
Isaac Brock Drive	North	Opposite Kennard Street	Anytime
Isaac Brock Drive	South	Northwest corner of Kennard Street	Anytime

Isaac Drive	Brock	South	Opposite John Murray Street	Anytime
Isaac Drive	Brock	West	Approximately 20m north of William Johnson Street	Anytime
John Murray Street		North	Opposite Yorkdale Crescent	Anytime
Jones Road		East	From a point 22m north of Highway 8 to a point 72m north of Highway 8	Anytime
Jones Street		South	Point approximately 30m west of King Street East	Anytime
Marston Street		North	Northwest corner at Gordon Drummond Avenue	Anytime
Mountain Avenue		North	Northeast corner of King Street	Anytime
Mud Street		North	Northwest corner of Paramount Drive (west leg)	Anytime
Paramount Drive (East Leg)		East	Point approximately 30m north of Mud Street	Anytime
Paramount Drive		East	Opposite Atlas Street	Anytime
Paramount Drive		East	Point approximately 28m south of Audubon Street South	Anytime
Paramount Drive		East	Point approximately 24m south of Apex Court	Anytime
Paramount Drive		East	Point approximately 26m west of Audubon Street North	Anytime
Paramount Drive		North & South	Approximately 50m west of Amberwood Street	Anytime
Paramount Drive		North	Opposite Astra Street	Anytime
Paramount Drive		West	Northwest corner of Kingsview Drive	Anytime
Paramount Drive		East	Southeast corner of Kingsview Drive	Anytime

Paramount Drive	South	Southwest corner of Astra Drive	Anytime
Paramount Drive	West	Opposite Audubon Street North	Anytime
Paramount Drive	West	Approximately 20m north of Ackland Street (south leg)	Anytime
Paramount Drive	West	Approximately 20m south of Atlas Street	Anytime
Paramount Drive	South	Opposite Audubon Street North	Anytime
Valley Park Loop	North	Northeast corner of Paramount Drive	Anytime
Winterberry Drive	North	Northeast corner of Linc/Mud Street Extension	Anytime
Winterberry Drive	South	Southeast corner of Mud Street	Anytime
Winterberry Drive	South	Southwest corner of Mud Street	Anytime
Winterberry Drive	North	Northeast corner of Paramount Drive	Anytime
Winterberry Drive	North	Northwest corner of Paramount Drive	Anytime"

11. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Francis South from 12.2m east of Cheever to 4m easterly 8:00 a.m. to 6:00 p.m."

and by deleting from Section "E" thereof the following items, namely:

"Adeline West 265 feet south of Barton to 24 feet southerly 8:00 a.m. – 4:00 p.m. Monday to Saturday

Francis South 13 feet commencing 40 feet east of Cheever Anytime

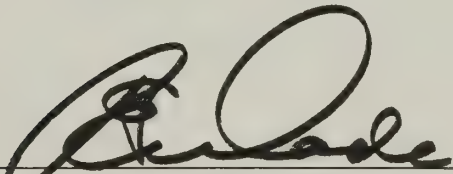
Glow South 25 feet 50 feet west of Burgess 7:00 am to 4:00 pm" Monday to Friday

12. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

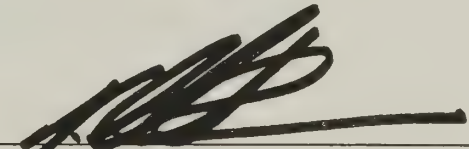
"Lincoln Road West from 96.6m south of 8:00 a.m. to 4:30 p.m."
 Carpenter Avenue to 39.3m Monday to Friday
 southerly

13. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
14. Sections 5 through 12 inclusive, of this By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 13th day of August, 2003.



Mayor



City Clerk

CAT ON HBL A08
B91

Authority: Item 17, Committee of the Whole
Report 03-015 (FCS03095)
CM: August 13, 2003

Bill No. 229

CITY OF HAMILTON

BY-LAW NO. 03-229

To Limit Property Tax Capping

WHEREAS section 329 of the *Municipal Act 2001*, provides for a cap which determines the maximum taxes for which particular classes of real property are liable during the fiscal year 2003.;

AND WHEREAS section 330 of that Act further empowers the City to enact a by-law to establish a percentage by which tax decreases shall be limited in respect of properties in any property class.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Recovery for 2003

- 1.1 For the purposes of section 330 of the *Municipal Act 2001*, in order to recover all or part of the revenues foregone as a result of the application of section 329 of the Act to properties within the property classes specified in Schedule "A" to this By-law, the percentage by which tax decreases for 2003 in respect of properties subject to Part IX of the Act shall be, and be deemed to have been, limited shall be as set out in the column headed "2003 Decrease" in that Schedule.
- 1.2 Section 1.1 shall apply to all properties in the property class whose taxes for municipal and school purposes for 2002, as determined under subsection 329 (4) of the *Municipal Act*, exceed their taxes for municipal and school purposes for 2003 as adjusted in accordance with the regulations in respect of changes in taxes for municipal purposes and changes in taxes for school purposes.
- 1.3 The purpose of this section is to clarify the respective rights and obligations of the City and all persons liable for tax during the fiscal year 2003.
- 1.4 This section shall be deemed to have come into effect on January 1, 2003.

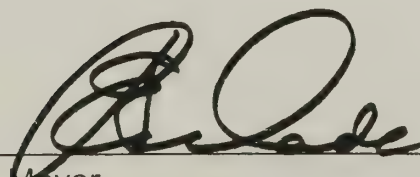
2. Saving

- 2.1 In the event that a provision of this By-law is held to be void or unenforceable by a final judgment of a court of competent jurisdiction, the remaining provisions of this By-law shall remain in effect unamended.
- 2.2 In the event that one or more of the percentages specified in Schedule "A" is found by a court of competent jurisdiction to exceed the percentage decrease that the City may establish under sections 329 and 330 of the Municipal Act 2001, then Schedule "A" shall be deemed to have always provided that the percentage decrease shall be the maximum percentage allowable under those sections, as determined by that Court.
- 2.3 Where section 2.2 applies, any excess tax collected by the City in respect of a property shall be applied to the taxes payable in respect of that same property in the next following fiscal year.

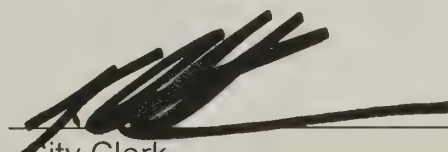
SCHEDULE "A"

Property Class	2003 Decrease
Commercial	29.5 per cent
Industrial	19.5 per cent
Multi-residential	29.5 per cent

PASSED and ENACTED this 13th day of August, 2003.



Mayor



City Clerk

CA4 on HBL A08
B91

Authority: Item 2, Hearings Sub-Committee
Report: 03-027 (PD03203)
CM: August 13, 2003

Bill No. 230

MUNICIPAL DOCUMENT

CITY OF HAMILTON

BY-LAW NO. 03-230

To Adopt:

Official Plan Amendment No. 187 to the Former City of Hamilton Official Plan;

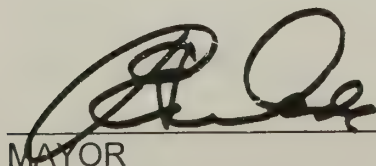
Respecting:

398 King Street West

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 187 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 13th day of August, 2003.


MAYOR
CLERK

SCHEDULE "1"

Amendment No. 187

to the

Official Plan of the Former City of Hamilton

The following text together with Schedule "B-1" – Other Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 187.

Purpose:

The purpose of this Amendment is to designate the subject lands as a site specific "Major Institutional" designation to allow a wellness centre with a provision for limited associated commercial uses on the first and second floors of a mixed use commercial-residential building.

Location:

The lands affected by this Amendment are generally the southern half of the lands municipally known as 398 King Street West.

Basis:

The basis for permitting the creation of a site specific amendment is as follows:

- The proposed development would be compatible with the existing commercial uses to the east and west.
- The site has good access to a major arterial roadway (King Street West).
- A mixed use building will maintain and enhance commercial character of the King Street West streetscape and contribute to a mix of housing in the area.
- A mixed use development is consistent with the policies of the City of Hamilton Official Plan.

Actual Changes:

- 1) Schedule "B-1" – Other Special Policy Areas – be revised by adding the subject lands as Special Policy Area 88, as shown on the attached Schedule "B-1" of this Amendment; and,

- 2) The following new policy be added to Subsection A.2.9.3 – Other Policy Areas as follows:

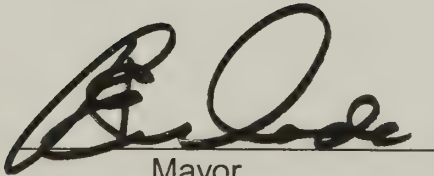
“2.9.3.83 In addition to the permitted uses set out in Subsection A.2.6 – Major Institutional, for the front portion of the lands known municipally as 398 King Street West, shown on Schedule “B-1” as SPECIAL POLICY AREA 88, a wellness centre including limited associated commercial uses will also be permitted provided that the wellness centre is located on the first and second storeys of a mixed-use commercial/residential building.”

Implementation:

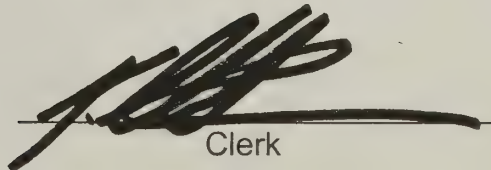
A Zoning By-law amendment and Site Plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-230, passed on the 13th day of August, 2003.

The City of Hamilton



Mayor



Clerk

Schedule B-1 Amendment No. 187 to the Official Plan for the City of Hamilton

legend

Add Special Policy Area 88

date
AUGUST, 2003

drawn by
LC

reference file no

other special
policy areas

legend



delete

refer to policy
A.2.9.3.11



refer to policy
A.2.9.3.12



refer to policy
A.2.9.3.20



refer to policy
A.2.9.3.23



refer to policy
A.2.9.3.34



refer to policy
A.2.9.3.53



refer to policy
A.2.9.3.60



refer to policy
A.2.9.3.64



refer to policy
A.2.9.3.65



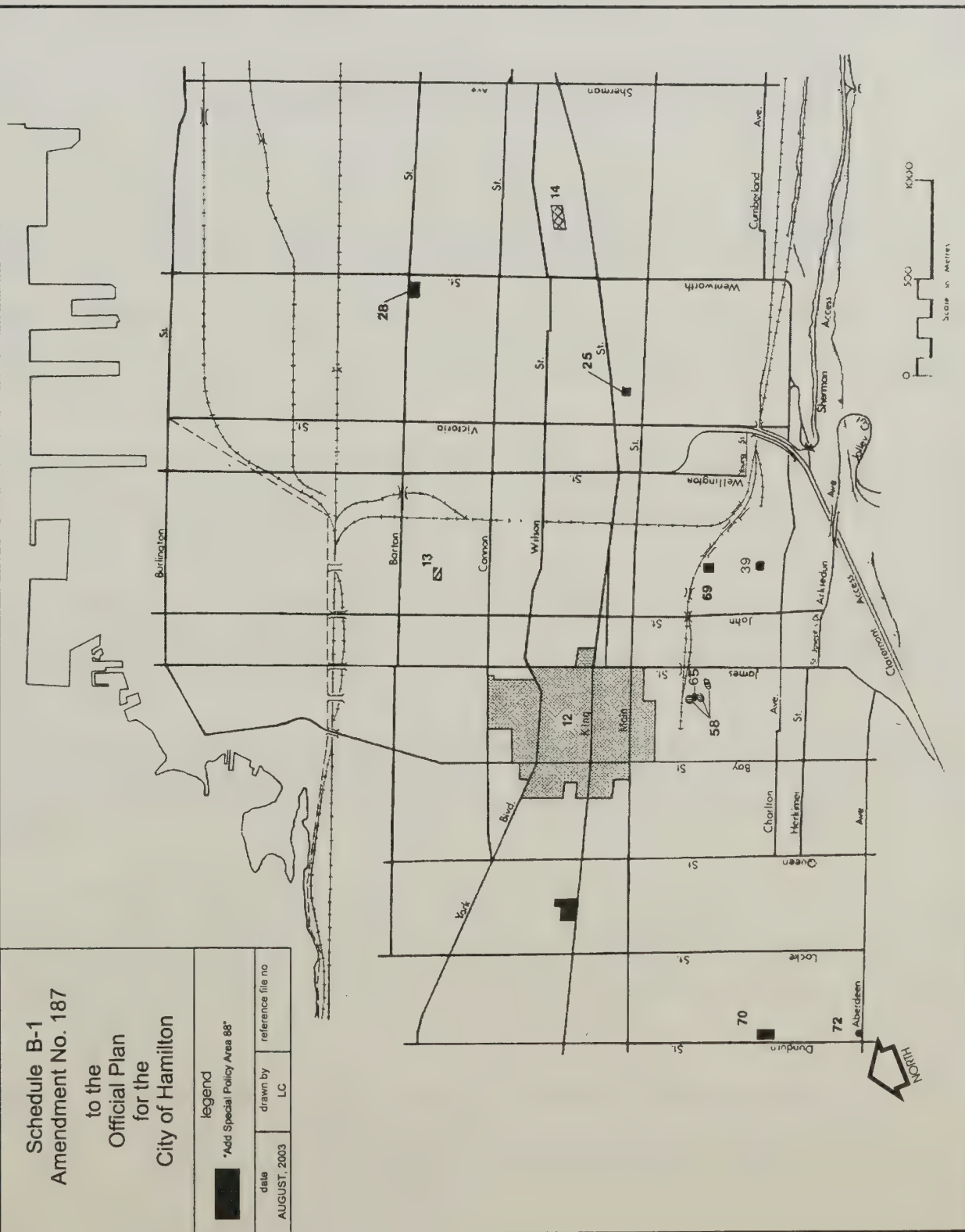
refer to policy
A.2.9.3.67



Refer to policy
A.2.9.3.83

schedule B-1

to the official plan
for
the City of Hamilton



Bill No. 231

CITY OF HAMILTON

MUNICIPAL DOCUMENT

BY-LAW NO. 03-231

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 398 King Street West**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 2 of Report 03-027 of the Hearing Sub Committee at its meeting held on the 13th day of August, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No.187 proposed by the Corporation of the City of Hamilton as By-law No. 230, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-12 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential – One and Two Family, etc.) District to "H" (Community Shopping and Commercial, etc.) District, Modified, the lands comprised in Blocks "3" and "4"; and,
- (b) by changing from "D" (Urban Protected Residential – One and Two Family, etc.) District to "DE" (Low Density Multiple Dwellings) District, Modified, the lands comprised in Blocks "5" and "6",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "1", "2", "3" and "4", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements:

- (a) That subsections 14.(1)(iib) and (14.1)(iic) shall not apply to the subject lands;
- (b) That notwithstanding Subsection 14.(3)(ii)(a), where a building or structure is comprised of residential uses and commercial uses, then a minimum side yard of 9m shall be provided and maintained for the residential use;
- (c) That in addition to the requirements of Section 14 of Zoning By-law No. 6593, no residential use or accessory use shall be located,
 - (i) except functionally completely separate from any commercial use;
 - (ii) in such a manner as will interrupt or project into or through, any area otherwise,
 - (1) accessory, incidental, allocated to or continuous with, or,
 - (2) within any larger area devoted to a commercial use;
 - (iii) except in such a manner as will completely segregate from any commercial use pedestrian movement to and from any residential use.
- (d) That notwithstanding Subsection 18A(1)(a) and (b) of Zoning By-law No. 6593, the minimum number of required parking spaces for a building or structure comprised of residential uses and commercial uses shall be:

- (i) 1.4 spaces per 100 square metres of floor area for a medical clinic;
 - (ii) 1 space for every 31.0 square metres of floor area for that portion of floor area in excess of 450.0 square metres for general office uses; and,
 - (iii) 1 space per 6 persons who may be lawfully accommodated for a place of assembly.
- 3. That the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "1" and "3", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements:
 - (a) That notwithstanding Subsection 14. (1)(iia) of Zoning By-law No. 6593, a maximum of seventy-two (72) dwelling units shall be permitted; and,
 - (b) That notwithstanding Subsection 18A (1)(a) and (b) of Zoning By-law No. 6593, 0.17 spaces per Class A dwelling unit shall be provided and maintained;
- 4. That the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "2" and "4", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements:
 - (a) That notwithstanding Subsection 14.(1)(iia) of Zoning By-law No. 6593, a maximum of sixty (60) dwellings units shall be permitted;
 - (b) That notwithstanding Subsection 14.(2)(ii) of Zoning By-law No. 6593, the maximum height of any building, structure or portion therefore shall not exceed four (4) storeys within 84m of the northerly lot line; and,
 - (c) That notwithstanding Subsection 18A(1)(a) and (b) of Zoning By-law No. 6593, 0.26 spaces per Class A dwelling unit shall be provided and maintained;
- 5. That the "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593 (City of Hamilton), applicable to Block "5", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements:
 - (a) That Section 4.(3)(a) shall not apply to an emergency shelter;

- (b) That notwithstanding Subsection 10A.(1)(viii) of Zoning By-law No. 6593, two emergency shelters for the combined accommodation of not more than sixty (60) residents within one building shall be permitted;
 - (c) That notwithstanding Subsection 10A.(3)(ii)(c) of Zoning By-law No. 6593 for a multiple dwelling, a side yard along each side lot line of a width of at least 2.7 metres shall be provided and maintained; and,
 - (d) That notwithstanding Subsection 10A.(6) of Zoning By-law No. 6593 for an emergency shelter permitted under Subsection (b)(iv)(ii), every emergency shelter shall be situated on a lot having a minimum radial separation distance of not less than 120.0 metres from the lot line to the lot line of any other lot occupied or as may be occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility;
- 6. That the "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593 (City of Hamilton), applicable to Block "6", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements:
 - (a) That notwithstanding Subsection 10A.(3)(ii)(c) of Zoning By-law No. 6593, for a multiple dwelling a minimum side yard of at least 6.0m shall be provided and maintained;
 - (b) That notwithstanding Subsection 10A.(3)(iii) of Zoning By-law No. 6593, for a multiple dwelling a minimum rear yard of at least 2.7m shall be provided and maintained; and,
 - (c) That notwithstanding Subsection 18A(1)(a) and (b) of Zoning By-law No. 6593, 0.26 spaces per Class A dwelling unit shall be provided and maintained;
- 7. That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to Blocks "1", "2", "3", "4", "5" and "6" by introducing the holding symbol 'H' as a suffix to the proposed zoning district as follows:
 - (a) The holding provision will prohibit the development of Blocks "1", "2", "3", "4", "5" and "6" until:
 - (i) That the owner/applicant shall conduct an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant

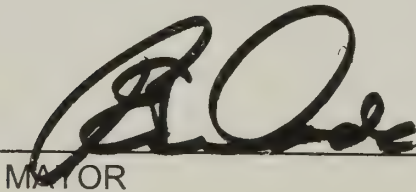
archaeological resources found. No demolition, grading or soil disturbances shall take place on the subject property prior to the approval of the Director of Development and the Ministry Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements;

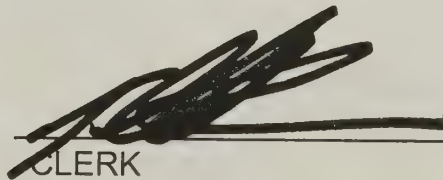
- (ii) That the owner/applicant shall investigate the noise levels on the site and determine the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environments recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted, to the satisfaction of the City of Hamilton, Director of Development;
 - (iii) That the applicant/owner prepare and submit a tree preservation plan for the existing trees located within the King Street West, Ray Street North and Pearl Street North road allowances and the subject lands, to the satisfaction of the Manager of Forestry, Parks Division, Community Services Department and the Director, Development Division, Planning and Development Department;
 - (iv) That the owner has submitted a signed Record of Site Condition (RSC) to the Ministry of Environment. This RSC must be to the satisfaction of the City of Hamilton, including acknowledgement of receipt of the RSC from the Ministry of Environment; and,
- (b) That in addition to the requirements of Subsection 7.(a) of this By-law, the development of Block "5" will be prohibited, until such time as the following additional provision has been satisfied:
- (i) The property owner enters into an agreement to the satisfaction of the Director, Building and Licensing Division, Planning and Development Department, that the uses at 20 Emerald Street South ("Martha House") and 50 East Avenue North ("Mary's Place") will be abandoned with no intent to reactivate upon occupancy of Block "5".

City Council may remove the 'H' symbol and, thereby, give effect to the "H" (Restricted Community Shopping and Commercial) District and "DE" (Multiple Dwellings) District, as amended by the special requirements of Sections 2, 3, 4, 5 and 6 as stipulated in this By-law, by enactment of an amending By-law once the above conditions have been fulfilled;

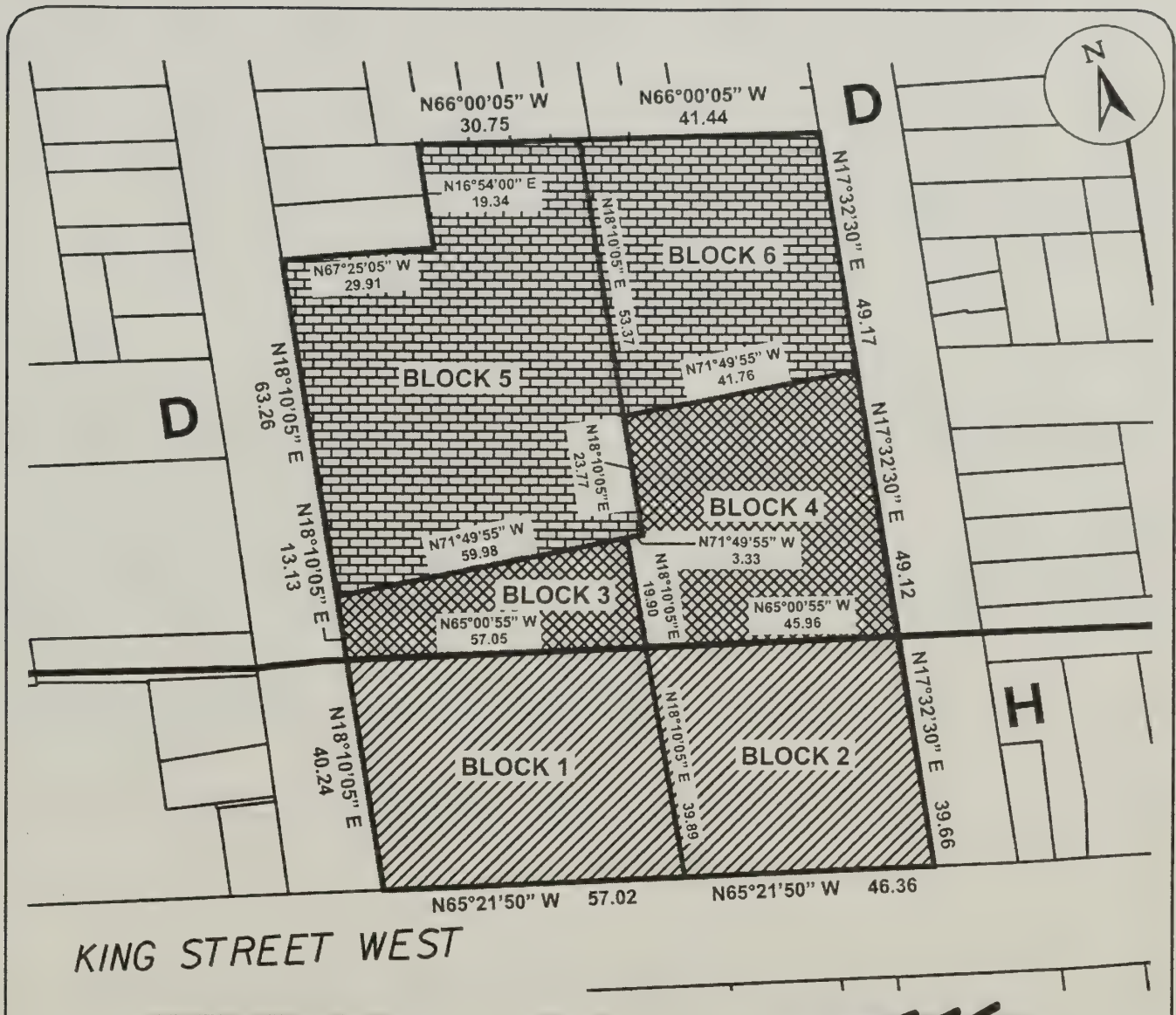
8. That upon the satisfying the conditions of the 'H' symbols and submitting the required fees, that the General Manager, Planning and Development Department, be authorized and directed to give the prescribed notice(s) in accordance with the provisions of the Planning Act and to prepare a By-law(s) in a form satisfactory to the Corporate Counsel to remove the 'H' symbol(s) for presentation to City Council.
9. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District and "DE" District provisions, subject to the special requirements referred to in sections 2, 3, 4, 5 and 6.
10. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1486.
11. Sheet No. W-12 of the District Maps is amended by marking the lands referred in Section 1 of the by-law as S-1486.
12. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 13th day of August, 2003.



MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 231

Passed the 13th day of August, 2003

[Signature]
City Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-231
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend

Subject Property
398 King Street West



Blocks "1" & "2" - Modification to the established "H" (Community Shopping and Commercial, etc.) District



Blocks "3" & "4" - Change in Zoning from "D" (Urban Protected Residential - One and Two Family, etc.) District to "H" (Community Shopping and Commercial, etc.) District Modified



Blocks "5" & "6" - Change in Zoning from "D" (Urban Protected Residential - One and Two Family, etc.) District to "DE" (Low Density Multiple Dwellings) District Modified

North



Scale
NOT TO SCALE

Date
August 7, 2003

Reference File No.
ZAC-03-14

Drawn By
MC

Bill No. 232**CITY OF HAMILTON****BY-LAW NO. 03- 232**

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Caroline	Northbound	Duke
Hess	Southbound	Duke
Markland	Eastbound	Caroline
Markland	Eastbound	Bay
Markland	Eastbound	Park"

2. Schedule 6 (One-way Streets) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Caroline	Southerly	York	Main
-----------	-----------	------	------

Caroline	Southerly	Herkimer	Aberdeen
Hess	Northerly	Jackson	Barton"

and by deleting from Section "E" thereof the following items, namely:

"Caroline	Southerly	York	Aberdeen
Hess	Northerly	Herkimer	Barton
Markland	Westbound	James	Queen"

3. Schedule 8 (No Right Turns) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "G" thereof the following item, namely:

"Hess	Northerly	Markland	Anytime
Hilton	Northerly	Markland	Anytime
Bay	Northerly	Markland	Anytime
Chilton	Northerly	Markland	Anytime"

4. Schedule 10 (No Left Turns) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "G" thereof the following item, namely:

"James	Northerly	Markland	Anytime"
Hess	Southerly	Markland	Anytime
Bruce	Southerly	Markland	Anytime
Caroline	Southerly	Markland	Anytime
Park	Southerly	Markland	Anytime"

and by deleting from Section "G" thereof the following item, namely:

"James	Northerly	Markland	7:00 a.m. – 9:00 a.m. 4:00 p.m. – 6:00 p.m. Monday to Friday"
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4. Schedule 13 (Designated Traffic Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

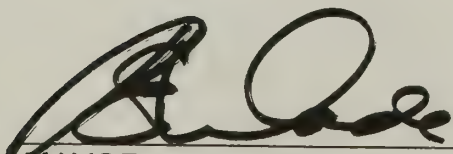
"Markland	James to Queen	south curb lane	Eastbound
Markland	Queen to 15m Easterly	north curb lane	Westbound to Northbound
Markland	Queen to 15m Easterly	2 nd lane from north curb	Westbound to Southbound"

5. Schedule 18 (Designated Bicycle Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

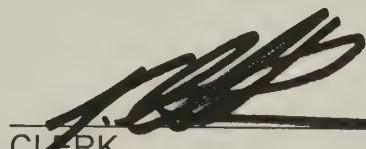
"Markland	James to Queen	South Curb Lane	Anytime	Eastbound"
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6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 13th day of August, 2003



MAYOR



CLERK

THE CITY OF HAMILTON

BY-LAW NO. 03- 233

To Confirm the Proceedings of City Council at its meeting held on August 13, 2003

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

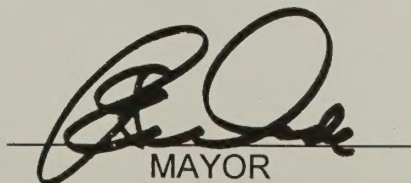
1. The Action of City Council at its meeting held on the 13th day of August, 2003 in respect of each recommendation contained in:

Report 03-021 of the Committee of the Whole,
Report 03-022 of the Committee of the Whole
Report 03-027 of the Hearings Sub-Committee,
Report 03-028 of the Hearings Sub-Committee,
Report 03-006 of the Grants Sub-Committee,

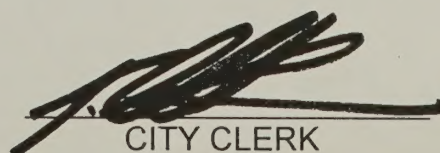
considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 13th day of August, 2003



MAYOR



CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 12

To amend the By-Laws of the City of Hamilton in relation to the City of Hamilton

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

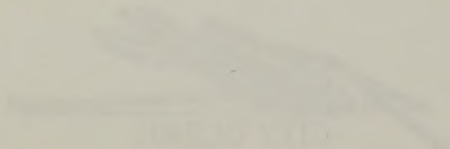
That the City of Hamilton do hereby enact as follows:
Section 1. That the City of Hamilton do hereby enact as follows:
Section 2. That the City of Hamilton do hereby enact as follows:

Section 3. That the City of Hamilton do hereby enact as follows:
Section 4. That the City of Hamilton do hereby enact as follows:
Section 5. That the City of Hamilton do hereby enact as follows:
Section 6. That the City of Hamilton do hereby enact as follows:

Section 7. That the City of Hamilton do hereby enact as follows:
Section 8. That the City of Hamilton do hereby enact as follows:
Section 9. That the City of Hamilton do hereby enact as follows:
Section 10. That the City of Hamilton do hereby enact as follows:

Section 11. That the City of Hamilton do hereby enact as follows:
Section 12. That the City of Hamilton do hereby enact as follows:
Section 13. That the City of Hamilton do hereby enact as follows:
Section 14. That the City of Hamilton do hereby enact as follows:

PASSED AND ENACTED BY THE COUNCIL OF THE CITY OF HAMILTON


MAYOR


MAYOR



 **ACCO. USA**
WHEELING, ILLINOIS 60090
25971

MADE IN USA

0 50505 25971

BLACK/NOIR/NEGRO

